

# Harrogate District Draft Local Plan

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October 2016



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## Vision and Objectives

### 3 Vision and Objectives

#### Vision

#### Harrogate district in 2035:

##### Vision in summary:

In 2035 Harrogate district continues to be an area with a fully justified reputation for its high-quality environments. The district has enjoyed continued economic growth and now has a more diverse and resilient economy. Increased and sustained delivery of new housing has resulted in a better match between the district's housing stock and local needs for housing, and the delivery of significant numbers of affordable housing for local people. New housing and employment development has enabled and encouraged significant investment in the district's transport system and supported bus services. New development has been well-designed, has added to local distinctiveness and supported the conservation and enhancement of both designated and non-designated heritage assets. The high quality natural environment remains a defining feature of the Harrogate district. Better management of Green Infrastructure assets has secured and enhanced their ecosystems services. Development in Harrogate, Knaresborough and Ripon has strengthened the vital roles of these settlements, while development in Pateley Bridge, Masham and Boroughbridge has secured their service role, and development in villages with services has helped to retain these facilities.

##### Vision in detail:

In 2035 Harrogate district continues to be an area with a fully justified reputation for its high-quality environments, and it remains one of the most sought after and desirable locations in Yorkshire, a place where people want to live, work, do business, shop, and spend their leisure time.

Harrogate district has consolidated its position as a key driver of the North Yorkshire economy, whilst the south-east of the district has exploited opportunities arising from its position between the West Yorkshire conurbation and York, in part through improvements to the Leeds-Harrogate-York rail line, to ensure that the district has also remained an important part of the Leeds City Region economy.

The district has enjoyed continued economic growth and, as a result of supporting a wider range of business sectors, now has a more diverse and resilient economy that offers a wider range of jobs, including more jobs requiring higher-level skills. Tourism remains important to local economies across the district and the numbers of visitors to all parts has grown. In particular, increased international recognition, in part due to successfully building on the legacy of the Tour de France Grand Depart in 2014, has led to more overseas visitors enjoying what the district has to offer.

The variety of house types and sizes available in the district has been brought more in line with local needs through increased and sustained delivery of much needed new homes in sustainable locations across the district. The building of housing has achieved the timely re-use of vacant previously developed land (sometimes called brownfield land), while the increased supply of market housing has enabled a significant proportion of the new homes to be available as affordable homes for local people.

A better balance between homes and jobs has been achieved and this has meant that less people regularly commute long distances to locations outside of the district. At the same time, more people who work within the district are able to choose to also make the area their home. New housing and employment development has enabled significant investment in the district's transport system, providing benefits to the whole population. In addition to improvements on the Harrogate rail line, the quality, frequency and reach of bus services has been protected, and there are now greater opportunities to make journeys safely on foot or by bike. While these improvements have reduced the need to travel by car, investment has also been made in the road network that has achieved reduced levels of congestion and improved air quality.

The quality of the district's natural environment and its diverse landscapes have been preserved and improved, and remain a defining feature of Harrogate district. In particular, the special qualities of the Nidderdale Area of Outstanding Natural Beauty have been successfully protected and enhanced. Better management of Green Infrastructure assets (including the Nidd, Ure and Wharfe river valleys) has improved biodiversity and protected geodiversity across the district, especially within internationally protected areas (including the North Pennine Moors), and helped to secure other vital ecosystems services such as carbon storage and sustainable flood risk management. Locally important Green Infrastructure has been recognised and opportunities to improve its quality, extent, connectivity and biodiversity as well as improving multifunctionality and access arrangements have been realised.

Within the district, natural resources are now used more efficiently and less waste is being produced. At the same time the district's carbon footprint has been reduced substantially, showing that Harrogate district is making significant strides to help the UK to meet the legal requirement to reduce carbon emissions by 80% by 2050.

New developments across the district have been well designed. They respect the local character of places and have added to local distinctiveness, successfully integrating into their surroundings. Development has helped to deliver improved local infrastructure benefiting the whole community. At the same time, on-going conservation and enhancement of heritage assets (both designated and non-designated), including historic buildings, has helped to protect local distinctiveness and has led to an increasing understanding of the past.

The district's three largest settlements (Harrogate, Knaresborough and Ripon) have retained their different identities, and each has built on its individual strengths and taken full advantage of local opportunities for development. As a result, all three places have benefited from environmental improvements, including enhancements to heritage assets, as well as the provision of a wider range of attractions and activities that have secured their vital roles to local people and seen increasing numbers of visitors.

Harrogate remains the district's primary centre providing the widest range of employment opportunities, services and facilities, as well as the most varied retail and leisure offer. In part this has been achieved because the town has maintained its position as one of the UK's leading conference and exhibition destinations despite stiff competition. Knaresborough has seen considerable town centre improvements. Recent development better reflects the town's character and has made a positive contribution to its appearance while, at the same time, there is less congestion and people are able to enjoy better air quality. Ripon has strengthened its role as the main service and employment centre for an extensive rural hinterland and been successful in regenerating key parts of the city, including the city centre. At the same time, former military land has been transformed into a new 'urban village'.

New development in the district's smaller market towns (Pateley Bridge, Masham and Boroughbridge) and a wider number of villages has helped to retain essential services in rural areas. Better mobile telephone coverage and improved access to super-fast fibre broadband has supported local residents and businesses, including agricultural businesses, whilst enabling greater diversification of the rural economy. Better promotion of these areas, including the Nidderdale Area of Outstanding Natural Beauty, and an increased variety of visitor attractions that both maximise upon and complement their rural locations, have seen greater numbers of leisure visitors choosing to spend time in these parts of the district.

## Objective 1

### Sustainable Development Patterns

To contribute to sustainable patterns of development, the Local Plan will:

**Objective 1:** Focus housing and employment development in locations which are, or can be made, sustainable; these are locations that take full advantage of existing opportunities to walk, cycle, or use public transport, or have the potential to increase these opportunities, in order to access jobs, shops, services and facilities.

## Objective 2

### Housing

To address housing needs for all, the Local Plan will:

**Objective 2:** Deliver additional market and affordable housing in sizes, types and tenures, and at a scale that meets locally identified needs.

## Objectives 3 - 5

### Economy

To support business, enterprise, and job creation in order to achieve a sustainable and diverse economy throughout the district that provides a range of employment, including apprenticeships and a higher proportion of high value jobs, the Local Plan will:

**Objective 3:** Deliver sufficient land for employment uses to improve choice and help to enable a thriving economy.

**Objective 4:** Support local investment and inward investment aimed at achieving business growth, particularly in key economic sectors, whilst also supporting investment in business start-ups and the growth of existing small and micro businesses.

**Objective 5:** Support a growing tourism sector that attracts greater numbers of domestic and overseas visitors, and provides a vibrant offer for both business and leisure visitors. This includes seeking to maintain the position of Harrogate as one of the UK's leading conference and exhibition destinations with a range of venues and a thriving conference, exhibition and events programme.



## Objectives 6 - 10

### Placemaking

To create successful places providing quality environments that enable communities and individuals to enjoy an excellent quality of life, the Local Plan will:

**Objective 6:** Protect and enhance the roles of Harrogate, Knaresborough and Ripon as places providing a wider range of homes, jobs, shops, services and facilities; and Pateley Bridge, Masham and Boroughbridge as centres providing a good range of homes, jobs, shops, services and facilities.

**Objective 7:** Support the retention and enhancement of services and facilities in villages and hamlets to protect their existing roles and enable rural communities to thrive.

**Objective 8:** Encourage high quality design that responds positively to local character and contributes positively to local distinctiveness and health and well-being, including community safety.

**Objective 9:** Help deliver appropriate sport and recreation facilities, play areas and accessible open space.

**Objective 10:** Support bodies seeking to use neighbourhood planning tools that enable communities as a whole to take greater control of shaping new development in their neighbourhoods.

## Objective 11

### Heritage

To secure and maximise the contribution of the district's historic environment to local distinctiveness as well as to achieving wider social and economic objectives, the Local Plan will:

**Objective 11:** Promote the conservation and enhancement of designated and non-designated heritage assets in a manner appropriate to their significance, including maximising opportunities to increase understanding of the historic environment.

## Objectives 12 - 15

### Infrastructure and Connectivity

To facilitate the delivery of the infrastructure necessary to support a flourishing local economy, reduce the impacts of transport on the environment and communities, and enable reliable journeys between key centres regionally, nationally and internationally, the Local Plan will:

**Objective 12:** Enable greater opportunities to travel on foot and by bike, and support increased access to public transport as well as improvements to the quality and frequency of services.

**Objective 13:** Seek to ensure good rail, bus and road connectivity between key centres.

**Objective 14:** Deliver infrastructure to accommodate and support new housing and employment sites, and seek ways for new development to contribute to reducing existing congestion.

**Objective 15:** Support the expansion of, and improvements to, electronic infrastructure- including high speed broadband and mobile telephony across the district.

## Objectives 16 - 20

### Natural Environment

To safeguard the natural environment and manage natural resources for the benefit of people today and future generations, the Local Plan will:

**Objective 16:** Promote the efficient use of natural resources including: encouraging the re-use of buildings and vacant previously developed land, the greater use of sustainable construction techniques, effective waste management that minimises the amount of waste requiring treatment and disposal, and avoiding the unnecessary sterilisation of mineral deposits.

**Objective 17:** Seek to reduce the extent of climate change by encouraging development that reduces greenhouse gas emissions, including through energy efficiency measures and renewable energy generation; and seek to reduce the impacts of climate change by securing development that is resilient to its consequences, including supporting, and contributing to achieving, sustainable flood risk management.

**Objective 18:** Protect and enhance landscape character across the district, including within the Nidderdale Area of Outstanding Natural Beauty.

**Objective 19:** Protect the widest range of natural and semi-natural features, green spaces, lakes and rivers that act as the district's Green Infrastructure. Seek to enhance their quality, extent, connectivity and, where appropriate, access arrangements.

**Objective 20:** Protect internationally, nationally, and locally designated nature conservation sites and take opportunities to enhance quality, biodiversity and geodiversity.

## Harrogate District Growth Strategy

## 4 Harrogate District Growth Strategy

### 4.1

#### Harrogate District Growth Strategy: Key Facts

- Three main urban areas of Harrogate, Knaresborough and Ripon support the largest concentrations of the district's population. Since the Harrogate District Local Plan in 2001 these three settlements, together with the market towns of Boroughbridge, Masham and Pateley Bridge have accommodated the majority of new growth.
- The district has a large rural area containing villages and hamlets ranging from larger villages with local services and facilities down to small clusters of houses; need to ensure these rural settlements can continue to support local village services.
- High levels of employment and the highest business start-up rates within the Leeds City Region with the district's residents some of the most qualified in the north of England.
- The local economy has a number of prominent high value sectors (including wholesale, professional services and media) alongside a thriving visitor economy.
- Despite high resident skill levels and average earnings, workplace wages in the district are considerably lower than the regional and national average, with a disproportionate skew in local employment towards low value sectors.
- To the west of the district lies the Nidderdale Area of Outstanding Natural Beauty (AONB) covering some XX sq miles; more generally the district has a high quality natural and built environment.
- Around 11% of the district is designated as Green Belt.

### GS1: Providing New Homes and Jobs

#### Draft Policy GS 1

#### GS1: Providing New Homes and Jobs

Provision will be made in the district over the period 2014-2035 for:

- 11,697 new homes as a minimum, including affordable housing and 20 Gypsy and Traveller pitches
- 20-25ha of new employment land

#### Justification

- 4.2 The National Planning Policy Framework (NPPF) requires that the local plan meets in full, objectively assessed need for housing in the housing market area. The council commissioned a Strategic Housing Market Assessment (SHMA) to understand what this need figure is. The SHMA has considered housing market geographies, taking account of existing research and through analysis of differences in housing costs; as well as migration and commuting flows. The analysis highlights a complex set of relationships at play across the district and concludes that the district is split across two different housing market areas (HMA).

- 4.3** The north of the district, including Ripon, falls within a wider North Yorkshire HMA, and relates strongly to Hambleton. The south of the district, which includes Harrogate town and Knaresborough is more closely related to, and falls within a Leeds HMA. The preparation of a SHMA for Harrogate district alone is appropriate given that the district sits across more than one HMA. Any cross boundary issues will be picked up under the well-established duty to co-operate arrangements that exist between local authorities. It is however important to recognise overlaps between other authorities and markets. Although weaker than the core relationships, there are identifiable and important functional interactions from parts of the district with other adjoining authorities particularly Richmondshire and the City of York. These reflect localised cross-boundary interactions in the northern and south-eastern parts of the district.
- 4.4** The update report published in June 2016 concludes that the objectively assessed housing need in the district is for 557 dwellings per annum. Over the plan period 2014-35 this equates to 11, 697 homes. In coming to this conclusion the SHMA considers a range of factors which influence housing needs, and in so doing captures the impact of past under-delivery of housing through adjustments made to the starting point demographic projections. Chapter 11 sets out how the annual requirement will be delivered over the plan period, including providing a level of flexibility.
- 4.5** The SHMA also considers the level of affordable housing need in the district and finds that there is a net deficit of 256 affordable homes per annum. The Planning Practice Guidance (PPG) sets out how affordable housing should be considered as part of the plan making process and requires that: *'The total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'* The analysis set out in the SHMA does not suggest that there is strong evidence of a need to consider additional housing over and above that suggested by the demographic and economic based calculations to help meet affordable housing need. Consequently the uplift has not been applied to the objectively assessed need for housing. There is, however, strong justification for inclusion of policies in the local plan that seek to maximise affordable housing. Policy HS2 requires the provision of affordable housing to respond to this identified high level of need.
- 4.6** The SHMA also considers what types and sizes of homes, both market and affordable, will be needed. Overall it concludes that there will be a need for a mix of house sizes; with an emphasis on the provision of two and three bedroom houses but recognising that larger family housing will also be required. Policy HS1 responds to the need to provide a good mix of new homes over the plan period.
- 4.7** The Harrogate Gypsy and Traveller Accommodation Assessment (GTAA) identified a need for seven additional pitches up to 2028. Further work undertaken by the council to look at applying a household growth element for those households already in the district indicates that over the period to 2028 this figure rises to 20. Policy HS10 sets out how this need will be met.
- 4.8** The council's Employment Land Review (ELR) shows an increase of 7,930 jobs over the period 2014-35 across all sectors based on the Regional Econometric Model (REM)<sup>(2)</sup> It also looks specifically at the forecast change in B use class jobs<sup>(3)</sup> and concludes that in total there will be an increase of 3,070 jobs. This overall increase includes a decline in B2 jobs. In order to support the forecast increase in B class jobs the ELR

2 This is based on the December 2014 release

3 Class B1a/b (offices and research), B1c (light industrial), B2 (general industrial), B8 (storage and distribution)

concludes that the overall amount of employment land needs to increase by a minimum of 12 hectares. This minimum figure assumes that all of the surplus B2 land (six hectares will be taken up by other B uses. In practice, however, this is unlikely and as a result additional land requirements could be in the order of 12-18 hectares. Taking into account an assessment of existing land supply the ELR concludes that allocations of land should be made to deliver 20-25ha of new employment land in order to address the shortfall in B1/B8 land and to create a better balance in the type of employment land available.

- 4.9** In order to ensure job growth and housing growth are closely aligned the SHMA includes an assessment of economic forecasts, namely REM and Oxford Economics (OE). This part of the assessment concludes a predicted jobs growth of 8,021 over the period 2014-2035. Updates of the SHMA and ELR are scheduled to take place prior to submission due to regular updating of population and economic forecasts and to ensure that they are both aligned.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

##### **Further guidance for applicants**

##### **Evidence that may be required from applicants to accompany a planning application**

##### **Designations/boundaries to be shown on the policies map**

**GS4: Green Belt****Draft Policy GS 4****GS4: Green Belt**

The extent of the Green Belt within Harrogate district is shown on the Policies Map. Inappropriate development in the Green Belt will not be approved except in very special circumstances in accordance with national policy.

The council encourages proposals for the beneficial use of Green Belt to achieve the following opportunities provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it:

- To retain and enhance the character of the district's landscape, visual amenity and biodiversity
- To provide outdoor sport and recreation
- To improve public access

**Justification**

- 4.26** Harrogate district incorporates parts of two different Green Belts, namely the West Yorkshire Green Belt and the York Green Belt. The purposes of these designations are to check the further growth of the West Yorkshire conurbation, to protect the special character of the towns of Harrogate and Knaresborough and prevent them from merging and to protect the special character of the City of York. NPPF makes clear that once established the Green Belt boundary can only be altered in exceptional circumstances following a full review. The extent of the Green Belt in Harrogate district has been established in earlier development plans; it has not been found necessary to amend the extent of the Green Belt in order to deliver sustainable growth within the district. The extent of the Green Belt is set out on the Policies Map.
- 4.27** All proposals for development within the Green Belt will need to be in accordance with the NPPF which makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The council will give substantial weight to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 4.28** NPPF states that the construction of new buildings in the Green Belt is inappropriate. Exceptions to this are set out in the NPPF and include limited infilling or the partial or complete redevelopment of previously developed sites (brownfield sites), whether redundant or in continuing use, (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 4.29** Taking into consideration the importance of protecting and enhancing the natural environment the need to provide sites for new sport, open space and recreation facilities and the need to make the most of opportunities for improving green infrastructure the council encourages the beneficial use of the Green Belt for the opportunities identified in this policy. Such proposals will need to demonstrate that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it as defined in national policy.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP7: New Sports, Open Space and Recreation Development
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character
- Policy NE5: Green Infrastructure

#### Designations/boundaries to be shown on the policies map

- Green Belt

## GS5: Supporting the District's Economy

### Draft Policy GS 5

#### GS5: Supporting the District's Economy

The council will encourage sustainable economic growth in the district by supporting the development aspirations of indigenous businesses and promoting inward investment opportunities; specifically by:

- A. Supporting the growth of key sectors including:
  - creative, media and digital activities
  - low carbon
  - life sciences
  - financial and professional services
  - wholesale and distribution
- B. Providing a range of business sites and premises
- C. Making a strategic employment land allocation at Flaxby, adjacent to the A1(M)
- D. Identifying Station Parade, Harrogate as a significant mixed-use, employment and commercial development location strengthening the town centre's role as an attractive location for business and contributing to the vitality of the town centre.
- E. Maintaining and enhancing the district's visitor economy.
- F. Supporting the rural and agricultural economy and its diversification.

### Justification

- 4.30** The NPPF places particular importance on building a strong competitive economy and states that local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
- 4.31** The objectives of the Local Plan seek to support business, enterprise and job creation in order to achieve a sustainable and diverse economy that provides a range of employment and a higher proportion of high value jobs. This also reflects one of the council's corporate priorities which is to support the district's growing local economy.



- 4.32** Harrogate district is a great place to do business, illustrated by its diverse business profile, including professional service providers, logistics, media/promotional, developers and manufacturers. This is evidenced by the district's above average business start-up rate. Comparatively, its residents are well qualified, with earnings notably above average. Business sectors are diverse, with the quality of its built and natural environment attracts over five million visitors a year, supported by the Harrogate International Centre, and offers good motorway and broadband connectivity (with 94% of premises capable of accessing Next Generation speeds). All of these factors contribute to high levels of enterprise and employment.
- 4.33** There are other factors however that are constraining economic growth including the significantly below average workplace earning, driven by high levels of employment within lower value sectors and in part-time jobs such as health/social care and hospitality.
- 4.34** Supporting a Strong Local Economy is a key corporate priority for the council, and in recognition of this it is developing a Consultation Draft Economic Growth Strategy 2016-2035, alongside the Draft Local Plan. Working with private and public sector partners, the strategy will identify the priorities for intervention to ensure a sustainable economy, by building upon the district's strengths and developing the business environment in which high-value growth sectors can establish, grow and invest.

### Key Sectors

- 4.35** In terms of employment sectors, the Employment Land Review, March 2015 (ELR) *(put in link when ready)* states that pre-2008 the economy was dominated by wholesale/retail trade, repair etc; real estate, renting, business activities and health and social work. This changed after 2008 with the Business Register and Employment Survey (BRES) for 2012 showing health, education, retail, information and communication and accommodation/food as the major employment sectors. In terms of future growth, the ELR estimates that the growth sectors between 2014 and 2035 will include media, wholesale, health and accommodation/food whereas the sectors to decline will be public admin/defence, other manufacturing and food/drink/tobacco.
- 4.36** The Economic Growth Strategy places importance on the provision of 'higher value' growth sectors. These sectors are sympathetic to the strong local labour market conditions within the district and reflect: forecast growth, the existing strengths of the district's offer to these sectors, with an attractive environment, quality of local services and education facilities, and central location in the UK. With an aim of delivering the most gross added value (GVA) and higher value jobs, the target growth sectors are:
- creative, media and digital activities
  - low carbon
  - life sciences
  - financial and professional services
  - wholesale and distribution
- 4.37** The Discretionary Rate Relief scheme has also being revised to prioritise support for further investment within these sectors.
- 4.38** The Harrogate district benefits from its location within two Local Enterprise Partnership (LEP) areas; Leeds City Region (LCR) and York, North Yorkshire and East Riding (YNYER) both of whom acknowledge the importance of the Harrogate economy within their sub-region. The Leeds City Region (SEP) (May 2016) (LINK) describes Harrogate as having notable strengths in financial and professional services, digital, creative and life science sectors whilst the York, North Yorkshire and East Riding LEP in their draft

SEP (2016) (LINK) highlights the Station Parade, Harrogate and Flaxby Green Park as important future development projects. Harrogate Borough Council is committed to working collaboratively with both these LEP's to maximise the economic opportunities.

### **Range of sites and premises**

- 4.39** Harrogate district's success as a business location is in part due to its attractive built and natural environment and its highly skilled workforce.
- 4.40** It is important for the sustainable growth of the local economy that a range of different sites and premises is provided to accommodate the full spectrum of user requirements which will be achieved by allocating, promoting and protecting a range of employment sites and premises from start-ups to new and existing small and medium sized enterprises (SMEs) with the ambition to grow and larger businesses looking to establish and invest in the district. Businesses need space to start up, move to and grow and providing a range of business sites and premises is important. There is present demand for small units in rural areas, high-tech business parks, industrial units, particularly in the 1000 to 10,000 sq ft range, serviced sites, grade A office accommodation in Harrogate town centre, warehouse units of all sizes, retail premises and workshop space. Enquiries show demand for premises is equally split across these sectors, with quality of accommodation, environment and proximity to road and public transport services being important factors.
- 4.41** The importance of a portfolio of the right business premises, in the right location has been highlighted by a variety of local companies that are seeking to grow and remain within the Harrogate district can be prevented from doing so by a lack of available and suitable employment sites and/or premises. This has been evidenced through the council's on-going engagement with local companies, property agents and reports in the regional business press.
- 4.42** Providing a range of sites and premises is central to the district's ability to retain and attract businesses, sustain the important diversity of the local economy and to enable its' strong entrepreneurial activity to flourish, for growing and established companies to remain .
- 4.43** Given the shortfall in available employment land to meet the projected B1 and B8 need over the period to 2035, as shown in the ELR, there is also sound justification for the continued protection of the existing employment areas where their condition, location and market requirements supports their retention and allocation of employment land to meet known and future business demand and attract inward investors in the future.

### **Strategic Allocation at Flaxby**

- 4.44** The ELR identifies that there is scope over the period of the plan to 2035 to bring forward new allocations of land for employment purposes to address the shortfall in B1 a/b and B8 purposes and to create a better balance in the type of employment land available. It goes on to conclude that this should include at least one significant site to enable the expansion of indigenous companies and offer inward investment opportunities.
- 4.45** Flaxby has been identified as the most appropriate location for a strategic employment allocation as it has excellent access to the strategic transport network and will benefit from planned improvements to Junction 47 of the A1(M). The site presents an opportunity to provide a high quality, landscaped 'green business park', which focuses on high quality business uses and has potential to provide a major investment site to meet the identified needs in the Harrogate district.

## Station Parade

- 4.46** Harrogate's railway station and adjoining facilities on Station Parade, including the town centre's bus station, have long been identified by the council as an area for improvement. A development brief was developed for the site in 2005 but the subsequent downturn in the economy has seen this proposal stall. The current buildings and infrastructure detract from the overall quality of the town centre environment and provide a poor gateway for commuters, business and leisure visitors. However, various recent factors strongly indicate an appetite for the comprehensive redevelopment of the site being a more viable prospect which could be delivered in the plan period. These include the proposed electrification of the Leeds-Harrogate-York railway line and renewed developer interest in parts of the site. The Harrogate Town Centre Strategy Masterplan SPD (May 2016) (LINK) sets out a number of key principles for the future development of this area. Working with private and public sector partners, the council is actively promoting the preparation of a masterplan for the mixed use development of the area including high quality office accommodation that reflects its landmark location.
- 4.47** Station Parade is also a popular location for office accommodation with its proximity to transport and town centre facilities, including The Exchange and Copthall Bridge House. Property agents and local companies have repeatedly highlighted the attraction of Harrogate town centre as an office location, due to the quality of the environment accessibility to public transport links, and to facilities such as shops and restaurants and other professional services. The attraction of the town as a place to 'do business', for business owners, their clients and prospective customers, has been highlighted by a range of local companies. As evidenced in the Employment Land Review (June 2015) and the council's own records, over .....Sq ft/ms of office space is identified to be lost to residential use through the permitted development right changes. The council has acknowledged the potential threat to good quality office floorspace within Harrogate town centre and have confirmed an Article 4 Direction affecting properties used as offices on Victoria Avenue in Harrogate, which will remove the right of owners of properties falling within B1(a) use class to convert these properties to residential use. The council will continue to use its Article 4 powers where appropriate which may include the area around The Exchange.
- 4.48** The re-development of Station Parade offers the opportunity to provide the modern office facilities that many of these businesses are seeking to relocate to, and strengthen the town's business offer.

## Visitor Economy

- 4.49** Supporting a growing tourism sector that attracts greater numbers of business and leisure visitors, and provides a vibrant offer for all visitors is an important objective. This includes seeking to maintain the position of Harrogate as an important conference and exhibition destination with a range of venues and a thriving conference, exhibition and events programme. The Leeds City Region SEP (May 2016) also recognises the district is home to a renowned visitor economy offer however highlights the challenges presented by the associated lower than average workplace earnings.
- 4.50** Tourism is important to the rural areas of the district, making a significant contribution to the local economy, creating employment opportunities and assisting in attracting investment. Maintaining and enhancing this role is therefore an important objective.

## Supporting the Rural Economy

- 4.51** The NPPF supports economic growth in rural areas in order to create jobs and prosperity and encourages planning policies to take a positive approach to sustainable new development. This includes supporting the sustainable growth and expansion of all types of business and enterprise in rural areas as well as the promoting the development and diversification of agricultural and other land-based businesses.
- 4.52** The west of the district is largely rural in character, comprised of a high quality and varied landscape that is greatly valued by both residents and visitors. Agriculture and forestry activities have influenced the character and appearance of the countryside and continue to do so. Reliance in these rural areas on limited employment sectors however has also resulted in a narrow range of job types characterised by low pay and seasonality. The over-dependency upon traditional rural industries that has in the past suffered due to declining incomes, foot and mouth etc also has had an effect on the rural economy. It is increasingly important therefore to diversify the rural economy in order to ensure that large parts of the district continue to thrive. Diversification can bring with it development pressures, which if not carefully managed can harm the intrinsic character of the countryside.
- 4.53** Refurbishment of rural buildings also provides valuable opportunities to diversify and strengthen the local economy, and provide accessible employment opportunities for residents. Many rural based businesses start from the back bedroom, garage or vacant farm building. The provision of workspace and office accommodation in converted rural buildings enables these small businesses to expand, diversify and take on staff, whilst remaining local.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy EC1: Protection and Enhancement of Existing Employment Areas
- Policy EC2: Expansion of Existing Businesses
- Policy EC3: Employment Development in the Countryside
- Policy EC4: Farm Diversification
- Policy EC5: Town and Local Centre Management
- Policy EC6: Protection of Tourist Facilities
- Policy EC7: Sustainable Rural Tourism
- Policy HP1: Harrogate Town Centre Improvements

##### **Further guidance for applicants**

- Employment Land Review 2015
- Economic Growth Strategy for the Harrogate District 2016 - 2035
- Harrogate Town Centre Strategy Masterplan SPD (May 2016)

**GS6: Sustainable Development****Draft Policy GS 6****GS6: Sustainable Development**

When considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in the Local Plan, (and, where relevant, with policies in the neighbourhood plans), will be approved without delay, unless material considerations indicate otherwise.

Where there are no Local Plan policies relevant to the application or relevant policies are out of date at the time of making the decision the the council will grant planning permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that framework indicate that development should be restricted.

**Justification**

**4.54** The National Planning Policy Framework (NPPF) makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainable development is described as having three mutually dependent dimensions: the economy, society and the environment. To achieve sustainable development the applicant will need to consider how development contributes to all three elements. Officers will work proactively with applicants where there is scope for an application to achieve sustainable development.

**4.55** In accordance with the NPPF, the council will seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Paragraph 14 also indicates that development should be restricted in the following areas:

- Sites protected under the Birds and Habitats Directives
- Sites of Special Scientific Interest (SSSI)
- Green Belt
- Local Green Space
- Area of Outstanding Natural Beauty (AONB)
- Designated heritage assets
- Locations at risk of flooding

Where adequate mitigation measures are not possible, compensatory measures may be appropriate or the application will be refused.

- 4.56** The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds and Habitats Directives is being considered, planned or determined.
- 4.57** The development plan for Harrogate district is the starting point for decision making. Development that accords with the policies within this plan will be approved and development that conflicts will be refused unless other material considerations indicate otherwise.
- 4.58** In order to work proactively to achieve sustainable development the council encourages pre-application discussion with applicants before a planning application is submitted. This will ensure that any key considerations can be discussed at the earliest stage. Applicants should have regard to, and make use of, local planning guidance and evidence base, where relevant, to ensure that proposals reflect local priorities and circumstances.
- 4.59** To ensure that proposals for development reflect the needs of the local community applicants are required to carry out pre-application community involvement in accordance with the council's Statement of Community Involvement (SCI) and to consider the content of Conversation Area Appraisals, Parish Plans and Village Design Statements and Neighbourhood Plans where they exist.
- 4.60** The council will seek to approve without delay planning applications that accord with the policies in the development plan for the district. The current national target for determining major applications is thirteen weeks and the target for determining all other applications is eight weeks. An important aspect of minimising delay will be for applicants to make all relevant information available at the earliest opportunity. In order to reduce the amount of time that it takes to register a planning application, applicants will be required to submit information in accordance with the council's validation requirements.
- 4.61** The council is committed to ensuring an up to date plan and will carry out regular monitoring of policies through, for example, the Annual Monitoring Report (AMR). The council will undertake a review or partial review of the development plan, where necessary, in accordance with the most up to date regulations and guidance regarding plan making.
- 4.62** All proposed developments within the district should contribute towards the achievement of sustainable development. The policies within this Local Plan set out the criteria against which development proposals will be assessed.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Supplementary Planning Documents prepared by the council
- Neighbourhood plans prepared within the area

#### **Further guidance for applicants**

- Statement of Community Involvement (SCI)
- Annual Monitoring Report (AMR)
- Other relevant local planning guidance and evidence base as set out on the council's website

**Evidence that may be required from applicants to accompany a planning application**

- Information required by the council's validation criteria
- Evidence of pre-application community involvement for all major development in accordance with the council's SCI

**GS7: Health and Wellbeing****Draft Policy GS 7****GS7: Health and Wellbeing**

The potential for achieving positive health and wellbeing outcomes will be taken into account when considering development proposals. Where any potential adverse impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated.

Development proposals should promote, support and enhance health and wellbeing by:

- Contributing to a high quality, attractive and safe public realm to encourage social interaction and facilitate movement on foot and cycle;
- Providing sufficient and the right mix of homes to meet people's needs and in the right location;
- Creating opportunities for employment in accessible locations;
- Designing homes that reflects the changes that occur over a lifetime so people are not excluded by design as their circumstances change;
- Building homes which are easy to warm and ventilate;
- Ensuring high levels of residential amenity;
- Providing opportunities for formal and informal physical activity, recreation and play;
- Supporting and enhancing community and social infrastructure;
- Improving the quality and quantity of green infrastructure and by protecting and enhancing public rights of way.

**Justification**

- 4.63** The links between planning and health and wellbeing are found throughout the National Planning Policy Framework (NPPF) and creating and supporting strong, vibrant and healthy communities is a key element of delivering sustainable development.
- 4.64** There are many different factors which have an influence on people's health and wellbeing including education, employment opportunities, good housing, open space, an active lifestyle, cultural and community facilities, care and health facilities and safe environments.
- 4.65** Harrogate's health priorities and issues are set out in the latests [North Yorkshire Joint Health and Well Being Strategy \(2015-2020\)](#), [Joint Strategic Needs Assessment](#) (JSNA) and [Health Profile](#). The most significant issues identified in these are: increasing rate of excess weight in young children, high rates of road injuries and deaths and a significantly higher prevalence of smoking than the national average. Also, the district is expected to see over the plan period a notable increase in the older population: the total number of people aged 65 or over is expected to increase by 56% resulting in additional pressures for health and social care.

- 4.66** To address these issues, it is important community needs are supported through appropriate physical and social infrastructure and by other facilities and key services which contribute to improving wellbeing and the overall quality of life experienced by residents. The planning system, and new development in particular, can make a real difference in these areas and helping residents experience a high quality of life is, therefore, a key theme that cuts across many policies of the Local Plan.
- 4.67** This Local Plan makes provision for appropriate housing, improved access to local services, healthy transport choices such as cycling and walking, access to green infrastructure, open space and active recreation, good design of the built environment, and promoting renewable energy and energy efficiency to help address fuel poverty.
- 4.68** The council will work in partnership with relevant partners and service providers to ensure the timely delivery of education, health and other social infrastructure to support growth.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy TI1: Sustainable Transport
- Policy TI4: Delivery of New Infrastructure
- Policy HP5: Public Rights of Way
- Policy GS1: Providing new homes and jobs
- Policy GS3: Development Limits
- Policy HS1: Housing Mix and Density
- Policy HS2: Affordable Housing and Starter Homes
- Policy HS3: Self and Custom Build Housing
- Policy HS4: Older People's Specialist Housing
- Policy HS5: Space Standards
- Policy HS6: Conversion of Rural Buildings for Housing
- Policy EC3: Employment Development in the Countryside
- Policy CC4: Sustainable Design
- Policy HP4: Protecting Amenity
- Policy HP6: Protection of Existing Sport, Open Space and Recreation Facilities
- Policy HP7: New Sports, Open Space and Recreation Facilities
- Policy HP8: Protection and Enhancement of Community Facilities
- Policy HP9: Provision of New Community Facilities
- Policy NE5: Green Infrastructure

#### **Further guidance for applicants**

- North Yorkshire Joint Health and Well Being Strategy (2015-2020)
- [Joint Strategic Needs Assessment](#)
- [HIA Gateway, Public Health England](#)



## Economy

## 5 Economy

### Economy Key Facts

- An economy worth £3.85 billion (Gross Value Added (GVA), 2015)
- A healthy, entrepreneurial economic environment with a high business start-up rate and above average number of enterprises and business units per head of population (estimated 13,500 businesses, 2015)
- High levels of employment, with 95,000 jobs in total, and the highest business start-up rates within the Leeds City Region, with the district's residents some of the most qualified in the north of England.
- A diverse local economy, with a variety of business sectors, including: life sciences, financial and professional services, warehousing and manufacturing, and the headquarters for companies that trade internationally, such as: TSYS, Harrogate Spring Water and Econ Engineering.
- A vibrant visitor destination that attracts a total of over five million business and leisure visitors per annum, supported by the Harrogate International Centre (HIC).
- The district's rural areas account for a quarter of the district's economy that adds to its diversity and provides supply chains for retail and catering industries.
- Low earnings, median workplace wages in the district being considerably lower than the regional and national averages, reflecting the high proportion of part-time jobs and disproportionate skew in local employment towards low value sectors, including catering and accommodation.
- A diminishing supply of commercial office accommodation, due to permitted development changes in use to residential.<sup>(4)</sup>

### EC1: Protection and Enhancement of Existing Employment Areas

#### Draft Policy EC 1

#### EC1: Protection and Enhancement of Existing Employment Areas

The following key employment sites as identified on the Policies Map should continue to be occupied by employment uses:

- Cardale Park, Harrogate
- Hornbeam Park, Harrogate
- St James Park, Knaresborough
- Melmerby Business Park, Melmerby
- Claro Park, Harrogate
- Plumpton Park, Harrogate
- Manse Lane, Knaresborough
- Boroughbridge Road, Ripon
- Harrogate Road, Ripon
- Dallamires Lane, Ripon
- Bar Lane, Boroughbridge
- Fearby Road, Masham

4 Further information and data on the council's priorities and services to support a strong local economy, including the Economy Action Plan 2015-2020 and consultation draft Economic Growth Strategy are available at [www.harrogate.gov.uk/economy](http://www.harrogate.gov.uk/economy)

- Marston Business Park, Tockwith
- Manse Farm, Knaresborough
- Dunlopillo, Pannal\*

(List will include new allocations)

The development or redevelopment of land and premises within these sites for purposes other than business, general industrial and storage and distribution (as defined by Use Class B1, B2 and B8 of the General Development Order) will not be permitted unless it can be clearly demonstrated that the proposed use is ancillary to the functioning of the employment site and the following criteria are met:

- A. there is no unacceptable impact on the quality and quantity of employment land supply;
- B. there is no unacceptable impact on the operation of the site as a key employment area;
- C. there is no unacceptable amenity impact;
- D. the proposal provides a complimentary benefit to the employment area

The use of other employment sites for non Business, General Industrial and Storage/Distribution (B1, B2, B8) uses will be resisted however in considering proposals for alternative uses the following will be considered:

- A. Impact on the quality and quantity of employment land supply;
- E. Ability to accommodate smaller scale requirements;
- F. Details of active marketing;
- G. Viability of employment development;
- H. Amenity considerations;
- I. Planning problems of the continued use of the site for employment.

\* this would relate to the area of the site in employment use

## Justification

- 5.1** Employment land can be placed under pressure from alternative uses, therefore it is important for the well-being of the local economy to secure the long-term future of a range of employment opportunities. The approach to site protection set out in this policy applies equally to sites last in employment use, but currently unused as well as those that are allocated for employment use but not yet developed. This policy relates to Business, General Industrial and Storage and Distribution uses which are currently defined by Use Class B1, B2 and B8 of the General Development Order or whatever may precede it.
- 5.2** The council has undertaken a district Employment Land Review (ELR) to inform the employment land requirement up to 2035. This review assessed the employment sites throughout the district and concluded that the majority of existing employment areas are operating effectively and are viable as employment locations. The district also contains a number of employment sites/areas which should be retained in employment use and should be protected against loss and their gradual erosion through the encroachment of alternative uses because they represent the district's key employment sites. Given the shortfall in readily available, viable and deliverable employment sites to meet the projected B1 and B8 need over the period to 2035 it is vital that protection is provided for the existing employment land supply and in particular the key sites. For

these key sites, the change of use for purposes other than B1 (Business), B2 (General Industrial) or B8 (Storage and Distribution) will not be permitted except where the use is considered to be ancillary to the main employment use of the site.

**5.3** Whilst the change of use to non B class uses on key sites will be resisted, it is recognised that there are a limited number of non B1, B2 and B8 uses which could be considered as acceptable on employment sites as they would provide a service to employees and their clients and contribute to the efficiency of the employment site. These are genuine ancillary uses such as small cafes or childcare nurseries which are needed to serve the employees of the area. When determining planning applications for such uses however, the applicant needs to demonstrate that the proposal does indeed provide a complimentary benefit to the employment area and support the needs of the employees as well as demonstrating that there is no unacceptable impact on the quality and quantity of employment land supply, the operation of the site as a key employment area and general amenity considerations. Applications for non B Class uses that are not considered ancillary will be refused.

**5.4** In terms of other sites, the council recognises that although there is a general resistance to change of use, there may be some cases where it might be appropriate to allow re-development where this would create alternative employment opportunities. In considering such proposals the council would have consideration to the following issues:

#### **Impact on the quality and quantity of employment land supply**

**5.5** The council regularly monitors employment land in the district and in particular looks at the take up and losses of employment land. In assessing quantitative and qualitative issues, regard will be had to available land and premises in the local area.

#### **Ability to accommodate smaller scale requirements**

**5.6** The market demand analysis of the ELR identified that employment requirements are often for small and medium scale development. Therefore in assessing qualitative impacts for releasing employment land from business, general industrial and storage/distribution uses regard will be given to the ability of the site to accommodate these smaller scale requirements.

#### **Viability and marketing**

**5.7** Proposals will have to provide evidence that employment use (B1, B2 and B8) of the site is no longer viable through relevant marketing information, and feasibility or viability studies. The following information will be required:

- copy of sales particulars including any subsequent amendments made;
- details of the original price paid, date of purchase and the new guide price;
- schedule of advertisements carried out, with copies of the advertisements and details of where and when the advertisements were placed, along with an estimate of the expenditure incurred from advertising;
- the confirmed number of sales particulars distributed, along with a breakdown of where the enquiries resulted from, for example from the "For Sale/To Let" board, advertisements, websites etc;
- websites used to promote the property/site together with details of links to other relevant sites, number of hits and if the council's Sites and Premises service has been used and on what date it was registered  
[www.harrogate.gov.uk/propertyfinder](http://www.harrogate.gov.uk/propertyfinder);
- details of the number of viewings including who and when;
- resulting offers and comments on the offers;

- details of the period when a "For Sale/To Let" board was displayed, or if not, the reasons behind the decision;
- timetable of events from the initial appointment of the agents to current date;
- details of agency/joint agency appointed including contact details;
- date property/site brought to the market;
- copies of accounts for the last five years.

**5.8** The above information needs to show that the property/site has been actively marketed for a period of two years at a value that reflects its existing use. Where there is evidence that a business has been allowed to run-down, an independent viability assessment may be required. Where a mixed use scheme is proposed the council would wish to be satisfied that the amount of non business, general industrial and storage/distribution use (B1, B2, B8) is the minimum required to make the scheme viable.

### Amenity considerations

**5.9** Where the continued employment use would cause unacceptable planning problems (e.g. residential amenity, traffic) the policy to resist the loss of business on 'other' sites would not apply. This is most relevant with non-conforming uses.

### Permitted Development Rights

**5.10** Permitted Development (PD) rights are a national grant of planning permission by Parliament allowing certain changes of use without the need for a planning application. Recent changes to PD rights now allow the change of use from B1a offices to C3 residential and temporary changes allow from B8 storage and distribution (up to 500 sq m) to C3 residential until May 2018. The difference between employment and residential value poses a risk to the large scale loss of employment stock and therefore jobs. The loss of smaller, affordable employment units could have an adverse impact on smaller businesses, as well as business start-ups. Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 gives local planning authorities the power to remove permitted development rights in some circumstances where they have the evidence to justify that this is necessary to protect the wellbeing of an area. Permitted development rights covering change of use also apply differently within the AONB.<sup>(5)</sup>

**5.11** As evidenced in the Employment Land Review (June 2015) a significant amount of office space is identified to be lost to residential use through the PD right changes, the majority of which is within Harrogate Town Centre, where office demand is greatest. The council have acknowledged the potential threat to good quality office floorspace within Harrogate Town Centre and have confirmed an Article 4 Direction affecting properties used as offices on Victoria Avenue in Harrogate, which will remove the right of owners of properties falling within B1(a) Use Class to convert these properties to residential use. The council will continue to use its Article 4 powers where appropriate.

#### Further Information

##### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS5: Supporting the District's Economy
- Policy EC2: Expansion of existing firms

<sup>5</sup> For further information please visit [https://www.planningportal.co.uk/info/200187/your\\_responsibilities/37/planning\\_permission/2](https://www.planningportal.co.uk/info/200187/your_responsibilities/37/planning_permission/2)

- Policy EC3: Employment development in the countryside
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment

#### **Further guidance for applicants**

- Employment Land Review

#### **Evidence that may be required from applicants to accompany a planning application**

- Justification, viability and marketing assessment for change of use proposals
- Justification for ancillary applications

#### **Designations/boundaries to be shown on the policies map**

- Key employment sites

## **EC2: Expansion of Existing Businesses**

### **Draft Policy EC 2**

#### **EC2: Expansion of Existing Businesses**

Proposals for the expansion of existing businesses in open countryside and outside established employment areas, as defined on the Policies Map, will be permitted where:

- A. There is a proven need for such development in terms of operational requirements of the business;
- B. The proposed development cannot physically and reasonably be accommodated within the curtilage of the existing site;
- C. The scale of development is appropriate in the proposed location;
- D. There is no unacceptable impact on the character of the countryside, the surrounding landscape, the form and character of the settlement or biodiversity;
- E. There is no unacceptable impact on the operation of the highway network;
- F. There are no significant adverse impacts on residential amenity.

## **Justification**

- 5.12** The NPPF states that a local plan should positively encourage sustainable economic growth and support the expansion of existing businesses as well as supporting economic growth in rural areas. There are a number of established businesses in the district that are either based on the edges of settlements or within the countryside (outside the defined development limits). These businesses play an important role in the local economy. Where businesses have 'outgrown' their respective sites and premises and have aspirations to grow, they should not be unduly constrained by their location; there are likely to be instances in which their expansion into open countryside may be appropriate.
- 5.13** One of the focuses for supporting sustainable economic growth in the district is meeting the expansion needs of local businesses. The council's economic priorities for the Harrogate district are summarised in the [draft Economic Growth Strategy 2016-2035](#)

and supporting Economy Action Plan. It is important that existing firms have the opportunity to expand and adapt for the continued success of the business with regard to normal planning considerations and other policies in the plan.

- 5.14** It is important that the Local Plan enables sustainable economic growth where appropriate. Businesses that are established in a particular location will have invested in a site and may be unwilling or indeed unable to relocate in order to facilitate further growth. Relocation of businesses in rural locations can result in the loss of valuable local employment opportunities that may not be replaced and indeed loss of the business where the particular location is critical due to issues such as access to staff, suppliers and clients.
- 5.15** Whilst the preference is for development to take place within settlements, the expansion of existing businesses into the open countryside may be appropriate if there are no available sites suitable for expansion as a result of operational and locational requirements. Nevertheless, there must be a demonstrable need for such development and the scale of the proposal should be appropriate in the proposed location. Equally, it is essential that such development does not have an unacceptable impact on the character of the countryside, the surrounding landscape, the form and character of the settlement or biodiversity.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS5: Supporting the District's Economy
- Policy GS6: Sustainable Development
- Policy EC1: Protection and enhancement of existing employment areas
- Policy TI1: Sustainable Transport
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape character
- Policy NE1: Air Quality
- Policy HP3: Local Distinctiveness

#### **Further guidance for applicants**

- Economic Growth Strategy 2016 - 2035
- Economy Action Plan

#### **Evidence that may be required from applicants to accompany a planning application**

- Evidence regarding operational requirements of the business.

#### **Designations/boundaries to be shown on the policies map**

- Established employment areas
- Development limits

## EC3: Employment Development in the Countryside

### Draft Policy EC 3

#### EC3: Employment Development in the Countryside

New employment development will be permitted in open countryside where all the following criteria are met:

- A. It involves either:
  - i. The re-use or adaptation of an existing building, a proposal for farm diversification or other small-scale proposal requiring a countryside location for operational reasons; or
  - ii. Small scale new building adjacent to a rural settlement, which is well related to the settlement, benefits the local economy, and reduces the need for increased car commuting to urban centres.
- B. The local road network can accommodate proposed traffic movements;
- C. It would not have a significant adverse effect on the character, appearance or general amenity of the area.

Outside defined settlement development limits, the re-use of existing buildings to employment use from other uses will be supported where:

- D. The building is of permanent and substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction;
- E. The scale, form and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;
- F. The proposed alterations are of a high quality design, retaining the features that contribute positively to the character of the building and its surroundings;
- G. The building and its curtilage can be developed without an adverse effect on the historic environment, the character of the local landscape or its setting;
- H. It can be demonstrated that there is no significant impact on local biodiversity, including protected habitats and species;
- I. The proposed use would not harm the countryside by way of traffic, parking, storage, light and noise pollution or the erection of associated structures;

Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, permitted development rights will be withdrawn for such development.

### Justification

- 5.16** The NPPF supports sustainable economic growth in rural areas in order to create jobs and prosperity. It supports sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
- 5.17** The district is largely rural in character, comprised of a high quality and varied landscape that is greatly valued by both residents and visitors. Agriculture and forestry activities have influenced the character and appearance of the countryside and continue to do so. However, changes in agriculture have meant that it is increasingly important to



diversify the rural economy in order to ensure that large parts of the district continue to thrive. Diversification can bring with it development pressures, which if not carefully managed can harm the intrinsic character of the countryside.

- 5.18** Generally new employment development will be directed towards allocations of land specifically for employment purposes and/or existing settlements. However, employment development within the countryside can be appropriate where it is small scale and well located to an existing rural settlement and where it does not have a significant impact on the character of the countryside. Such businesses can help to sustain and diversify the rural economy, and potentially reduce the need for increased car travel to the larger urban centres.
- 5.19** Recent legislative changes in relation to permitted development rights have introduced more flexibility about the conversion and re-use of existing agricultural buildings in rural areas without the benefit of planning permission. These permitted development rights do not apply to listed buildings or buildings located within a conservation area or within the Nidderdale Area of Outstanding Natural Beauty.
- 5.20** The council will require comprehensive information on the current structural condition of the building and the method by which it is proposed to convert it to the new use to assess whether it is of substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction.
- 5.21** Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, the council may consider the withdrawal of PD rights for such development.
- 5.22** This policy is, therefore, intended to apply to schemes outside of the exemptions covered by permitted development or conversion from non-agricultural uses.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy EC4: Farm Diversification
- Policy HP3: Local Distinctiveness
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape character
- Policy HP2: Heritage Assets

#### Further guidance for applicants

- Conversion of rural buildings design guide - [http://www.harrogate.gov.uk/plan/Documents/Planning%20Guidance/DS-P-RuralReuse\\_1992.Pdf](http://www.harrogate.gov.uk/plan/Documents/Planning%20Guidance/DS-P-RuralReuse_1992.Pdf)
- Harrogate Borough Council Heritage Management Supplementary Planning Document (2014)
- Nidderdale Traditional Farmsteads
- [https://www.planningportal.co.uk/info/200130/common\\_projects/9/change\\_of\\_use/2](https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use/2)

#### Evidence that may be required from applicants to accompany planning applications

- Protected species survey
- Structural survey of building

## EC4: Farm Diversification

### Draft Policy EC 4

#### EC4: Farm Diversification

Proposals relating to farm diversification and other land-based enterprises will be permitted where all of the following criteria are met:

- A. The new enterprise will not dominate the agricultural activity on the holding;
- B. The development will not detract from the character and appearance of the landscape or the farm holding;
- C. There is no significant effect on amenity, biodiversity or heritage assets;
- D. The proposal should make use of existing buildings wherever possible and where new or replacement buildings are required they should be closely related to the existing farm group, and their siting, form, scale, design and external materials are in harmony with existing traditional buildings;
- E. The proposal forms part of a comprehensive diversification scheme and is operated as part of a sustainable farm or appropriate land-based enterprise and will contribute to making the existing business viable;
- F. The approach roads and access to the site have the capacity to cater for the type and levels of traffic likely to be generated by the development; and
- G. The proposal will benefit the local rural economy and not generate significant number of unnecessary journeys by private car.

### Justification

- 5.23** The NPPF supports the development and diversification of agricultural and other land-based rural businesses. The agricultural sector remains a valuable part of the Harrogate district economy and therefore the council seeks to support the ongoing viability of agricultural and other land based enterprises because of the benefits to the sustainability of the rural area.
- 5.24** Farm diversification may involve various type of enterprise, including the introduction of different methods of agricultural production, the use of new crops, adding value to farm products, tourism, recreation, farm shops and leasing land or buildings to non-agricultural businesses.
- 5.25** By encouraging economic and agricultural diversification, it is important that the countryside is not damaged by unrestrained and inappropriate development. Therefore, diversification proposals should be of a scale and nature appropriate to the location and be capable of satisfactory integration into the rural landscape. Such proposals should seek to reuse existing buildings wherever possible and have regard to the amenity and impacts on neighbouring uses.
- 5.26** Proposals for diversification must be accompanied by a comprehensive farm diversification plan which indicates how new uses will assist in retaining the viability of the farm and the agricultural enterprise, and how it complements other short or long term business plans for the farm. A farm diversification plan should include the following:
- Farm profile - details of existing activities of the farm, site area, type of farm, existing buildings on the farm, what wildlife exist on the farm, number of employees
  - Details of why there is a need for the diversification including what present problems are being encountered on the farm

- Proposal details - what the proposal is for, landscape plans, traffic data, structural survey of existing buildings, parking, employment info
- Impacts - what are the implication of the proposal for the environment and rural economy

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS6: Sustainable Development
- Policy EC3: Employment development in the countryside
- Policy EC8: Sustainable rural tourism
- Policy TI1: Sustainable Transport
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape character

#### Further guidance for applicants

- Conversion of rural buildings design guide - [http://www.harrogate.gov.uk/plan/Documents/Planning%20Guidance/DS-P-RuralReuse\\_1992.Pdf](http://www.harrogate.gov.uk/plan/Documents/Planning%20Guidance/DS-P-RuralReuse_1992.Pdf)
- Harrogate Borough Council Heritage Management Supplementary Planning Document (2014)
- Nidderdale Traditional Farmsteads

#### Evidence that may be required from applicants to accompany a planning application

- Farm diversification plan

## EC5: Town and Local Centre Management

### Draft Policy EC 5

#### EC5: Town and Local Centre Management

- A. Proposals involving either the loss of existing A1 shop(s) in ground level frontages, or the creation of additional floorspace at ground floor level not intended for an Class A1 <sup>(6)</sup> retail use within the Primary Shopping Frontages of Harrogate, Knaresborough and Ripon will only be permitted where there is no harmful impact on the vitality and viability of the centre. <sup>(7)</sup>
- B. Proposals for non Class A1 uses considered appropriate to a shopping area will be permitted at ground floor level within the Secondary Shopping Frontages of Harrogate, Knaresborough and Ripon; the Primary Shopping Areas of Boroughbridge, Masham and Pateley Bridge; and Harrogate's Local Centres (Cold Bath Road, High Harrogate,

6 or any definition that replaces this use class

7 Development consisting of a change of use of a building from Class A1 (shops) to Class A2 (financial and professional services) is classed as Permitted Development.

Jennyfield, Kings Road, Leeds Road, Starbeck and Knaresborough Road) provided this would not result in, or add to, a concentration of similar uses, the cumulative effect of which would:

- i. adversely impact on the vitality or viability of the centre;
- ii. adversely impact on the retail character and amenity of the frontage;
- iii. generate levels of traffic that would cause significant congestion and/or road safety problems;
- iv. result in three or more consecutive shop units in non-A1 use; or
- v. result in conflict with other policies of the plan.

In all cases applicants will be required to demonstrate that they have considered all alternative vacant premises last in non Class A1 Use within the Primary Shopping Area based on availability and suitability.

C. The following proposals will be required to demonstrate compliance with the Sequential Approach;

- Retail development that does not serve a purely localised need outside of the Primary Shopping Areas of Harrogate, Ripon, Knaresborough, Boroughbridge, Masham and Pateley Bridge.
- Non-retail main town centre uses outside the;
- Town Centre boundaries of Harrogate, Ripon and Knaresborough
  - Primary Shopping Areas of Boroughbridge, Masham and Pateley Bridge

D. Proposals for retail developments outside the Primary Shopping Area but within the settlement's development limit must be supported by an Impact Assessment where they are of the following sizes:

- Harrogate: convenience retail of 1000 sq m or more and comparison retail of 2500 sq m or more
- Ripon: convenience and comparison retail of 1000 sq m or more
- Knaresborough: convenience retail of 250 sq m or more and comparison retail of 500 sq m or more
- Boroughbridge, Pateley Bridge and Masham: convenience and comparison retail of 250 sq m or more
- Areas not within a defined shopping centre, including the countryside: convenience and comparison retail of 250 sq m or more

Where it is considered that proposals would be likely to have a significant impact on a centre(s), the council reserves the right to require an Impact Assessment for retail proposals below the thresholds, or within a centre as well as office and leisure proposals.

- E. Proposals for retail development appropriate in scale and type to the size and role of Harrogate's local centres to provide for people's day-to-day needs, will be permitted within, or as an extension to, these centres.
- F. Proposals that help develop the evening and night-time economy will be supported as valuable additions to the vitality and viability of town and city centres, where the operation of such activities can be controlled to address amenity implications.
- G. Proposals involving residential or office development above ground floor premises within town or city centres will be permitted provided that they will not cause unacceptable planning problems for other adjacent land uses. In addition, development at ground floor should not compromise the current use, or future reuse of upper floors.

## Justification

- 5.27** In order to promote the vitality and viability of town and local centres, national planning policy sets out a strong 'centres' first policy, through a sequential test that directs main town centre uses to existing centres. This is supported by an impact test which requires development that might harm a centre to be assessed against a range of factors. Class A1 is defined as shops where the sale, display or service is to visiting members of the public. Other main town centre uses are defined by the NPPF as leisure, offices and arts, culture and tourism development.
- 5.28** The NPPF requires the boundary of each centre and the main Shopping Area of the centre to be defined. These ensure that a strong retail mix is supported and provides flexibility for defining those areas (Primary Frontage) that contain a high proportion of retail uses. The Harrogate District Retail Study (2014) provides the evidence base for the policy. Within the core streets of the Primary Shopping Areas of Harrogate, Knaresborough and Ripon there is a concentration of prime shopping facilities where the commercial rental values are highest. It is such facilities which provide the greatest attraction and it is considered important for the continued shopping character of the centre that they are protected from the introduction of non-shopping (i.e non-Class A1) uses.
- 5.29** Exceptions to the restriction in primary shopping frontages may be made where it can be demonstrated that the introduction of a non-shopping use is the only means of restoring or improving a building of heritage or aesthetic significance, or it would make an important contribution to the vitality of the shopping centre and in either case would not have a harmful impact on the shopping frontage.
- 5.30** In order to maintain the vitality and viability of centres, proposals for:
- **retail development** outside of the Primary Shopping Areas of Harrogate, Knaresborough, Ripon, Boroughbridge, Masham and Pateley Bridge
  - **other uses** outside of the:
    - Town Centre boundaries of Harrogate, Knaresborough, Ripon;
    - Primary Shopping Areas of Boroughbridge, Masham, Pateley Bridge
    - Local centre boundaries

will only be allowed if:

- a. It is demonstrated that there are no sequentially preferable sites (including consideration of their availability and viability and whether operators have demonstrated flexibility in terms of scale and format), or the development has a particular market or operational requirement that cannot be accommodated within a sequentially preferable location. In applying the Sequential Approach, applications for main town centre uses should be directed to sites in a Town or Local centre, before considering Edge of Centre (within 300m of the Town/Local centre but not outside the urban area) locations. Where proposals are located in an Out of Centre location, preference should be given to sites well served by a choice of means of transport, which are close to the centre and have a higher likelihood of forming links with the centre. In determining the area of search to be considered through the Sequential Approach it will be necessary to consider the form and scale of development. This should recognise that some proposals serve a localised need, such as a local foodstore, whereas others will serve a much wider catchment.
- b. There is clear evidence that the proposal will not lead to a significant adverse impact on a centre. This should involve consideration of the effect that the proposal would have on planned investment and the vitality and viability of a centre, including local consumer choice and trade in the centre and wider area up to five years from the time of application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made. Thresholds have been set to identify when a retail proposal should consider the impact of the development on an existing centre. These reflect the different roles and functions of the centres. Developments above the threshold may have a significant impact upon the centre, or other centres within the catchment area, and planning applications should be accompanied by an impact assessment.

**5.31** The council commissioned Peter Brett Associates to produce the [Local Retail Impact Thresholds Advisory Note](#) December 2014, which looks at whether a locally set threshold is needed for the district and if so what size threshold would be considered appropriately proportionate.

**5.32** To conduct their assessment Peter Brett considered the findings of the [Harrogate Retail Study](#) along with data on previous planning applications from 2004 - 2014. They focused their assessment on the following:

- scale of previous proposals relative to town centres
- existing viability and vitality of town centres/ vulnerability for local town centres
- cumulative effects of recent developments
- likely effects of further development on any town centre strategy/ planned investment

**5.33** Recent permitted development changes however now allow more opportunities to change the use of Class A1 units to non A1 uses. In some circumstances (change from A1 under 150 sq m to A3 (restaurants) under 150 sq m) a request for prior approval determination needs to be submitted. This enables LPA's to protect valued and successful retail provision in key shopping areas such as town centres as well as ensure that there are no amenity and highway impacts of the change of use. Prior notification is required where it may be undesirable for the building to change to a use falling within Class A3 because;

- there could be an impact on the adequate provision of services of the sort that may be provided by a building falling within class A1 but only where there is a reasonable prospect of the building being used to provide such services or;
- the building is located in a key shopping area and there could be an impact on the sustainability of that shopping area.

**5.34** Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 gives local planning authorities the power to remove permitted development rights in some circumstances where they have the evidence to justify that this is necessary to protect the wellbeing of an area. The council may therefore look to use its Article 4 powers to remove the permitted development rights in areas where the need to protect valuable and successful retail provision is justified.

**5.35** Recent changes to Permitted Development allow the conversion of agricultural buildings under 500 sq m to uses including retail and therefore in these cases there would not be a need to submit a Retail Impact Assessment.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS5: Supporting the District's Economy
- Policy HP1: Town Centre Improvements

#### **Further guidance for applicants**

- Harrogate District Retail Study (2014)
- [Local Retail Impact Thresholds Advisory Note](#) December 2014
- [https://www.planningportal.co.uk/info/200130/common\\_projects/9/change\\_of\\_use/2](https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use/2)

#### **Evidence that may be required from applicants to accompany a planning application**

- Sequential Assessment
- Impact Assessment

#### **Designations/boundaries to be shown on the policies map**

- Town/city centre
- Primary shopping area
- Primary and secondary shopping frontages
- Local centres

## EC6: Protection of Tourist Facilities

### Draft Policy EC 6

#### EC6: Protection of Tourist Facilities

##### Hotel Protection

Proposals involving the change of use of hotels in the district with 20 or more lettable bedrooms will not be permitted unless clear evidence is provided to demonstrate that they are no longer viable, including:

- A. evidence that the hotel has been actively marketed at existing use value for at least 12 consecutive months;
- B. occupancy rates for the last three years of operation; and
- C. capital expenditure in the last five years of operation.

Applicants will also be required to demonstrate that there will be no significant adverse impact on the supply or quality of visitor accommodation available in the area.

##### Protection of Tourist Attractions

Proposals that would result in the loss of a tourist attraction will not be permitted unless:

- D. clear evidence is provided to demonstrate that the continued use is no longer viable, including:
  - evidence that the attraction has been actively marketed at existing use value for at least 12 consecutive months
  - visitor numbers for the last three years; and
  - capital expenditure in the last five years of operation.

or

- E. The attraction is viable but has been actively marketed at existing use value for two years.

Proposals for non-tourist related development, which would be likely to result in harm to the continued attractiveness and operation of an existing tourist attraction, will not be permitted unless that development would deliver clear public benefits that are incapable of being provided in a less harmful manner

## Justification

- 5.36** The NPPF (Para. 28) recognises that tourism makes a significant contribution to the economy, particularly in rural areas, and that the planning system should facilitate and encourage development and improvement in tourism provision. Tourism both for business and leisure, is an important industry for Harrogate district, a largely rural authority containing a number of historic market towns and attractive rural villages set in an exceptionally high quality landscape which includes an Area of Outstanding Natural Beauty (AONB). The district boasts a wealth of tourist attractions and activities that draw both national and international visitors to the area such as the World Heritage Site at Fountains Abbey and the Great Yorkshire Show. Located between the Yorkshire Dales and North York Moors and close to the historic city of York and vibrant cosmopolitan Leeds the district is an ideal base to explore the wider area. Protecting



existing tourist facilities, including ensuring that there is a sufficient range and quality of visitor accommodation available in the district, whilst encouraging investment in existing and new tourist facilities and supporting infrastructure is therefore vital to the continuing success of this sector.

## Hotel protection

- 5.37** The health of the visitor and business tourism industry is important to the continued vitality and viability of the district's towns and villages, and the communities that live and work here. Similarly, the conference and exhibition business in Harrogate plays an important role in the local and regional economy. A good supply and range of serviced accommodation is essential to protect the town's role as one of the country's top conference and exhibition centres and as a recognised holiday tourism destination. The concentration of hotels offering a good range of accommodation within walking distance of the conference centre and exhibition halls or easily accessible by public transport is a unique aspect of Harrogate which is environmentally sustainable and needs to be protected.
- 5.38** The council developed a hotel protection policy as part of the Local Plan Selective Alteration in 2004 in response to pressure to convert hotels to other uses, particularly residential properties, and evidence that the volume and range of visitor accommodation available was inadequate to sustain the business tourism industry in Harrogate town. The need to maintain an adequate supply of visitor accommodation in the district remains, because without this, the overall attraction of Harrogate as a tourist and business destination will be threatened and as a consequence the local economy will be harmed. Hotels are also major employers in the district and the policy is therefore also aimed at protecting local job opportunities.
- 5.39** The council's Visitor Accommodation Study (2015) identified that hotels with 20 or more lettable bedrooms provide in the order of 72% of the total bedroom stock in the district and also tend to have higher room occupancy rates than smaller establishments. These larger hotels however account for only around 19% of the number of establishments offering serviced visitor accommodation in the district. Therefore, the loss of hotels of this size has a significant impact on the availability of visitor accommodation in the district, on local employment opportunities, and on the district economy.
- 5.40** It is accepted that it may not always be reasonable to insist on all hotels remaining in that use. However, to accept any loss it must be demonstrated that the hotel is no longer viable for use as such for the foreseeable future. In order to demonstrate non-viability, proof will be required to show that a hotel has been effectively marketed by an appropriate agent at existing use value for at least a year. Evidence will also be required of occupancy rates for at least the last three years and of capital expenditure in the last five years. The following information will be required:
- copy of sales particulars;
  - details of the original price, date of purchase and the new guide price;
  - schedule of the advertising carried out, with copies of the advertisements and details of where and when the advertisements were placed, along with an estimate of the expenditure incurred from advertising;
  - the confirmed number of sales particulars distributed, along with a breakdown of where the enquiries resulted from, for example, from the "For Sale/To Let" board, advertisements, etc;
  - details of the number of viewings;
  - resulting offers and why they were dismissed;

- details of the period when a "For Sale/To Let" board was displayed, or if not, the reasons behind the decision;
- timetable of events from the initial appointment of the agents to current date.

**5.41** It must be demonstrated that the loss of the hotel will not undermine the existing supply of serviced accommodation in the area. Specifically, the loss of the hotel should not significantly affect the overall number of rooms available or the quality of accommodation in the area. This will be particularly relevant to rural areas outside of Harrogate town where there may be limited choice of alternative accommodation and where accommodation is important to support the local economy.

**5.42** This policy will apply across the district to applications involving the loss of a hotel in its entirety, and equally to proposals involving the loss of one or more individual bedrooms that would reduce the total number of lettable rooms in a hotel to below 20 rooms.

### **Protection of tourist attractions**

**5.43** The term tourist attractions is used in this policy to define places of interest where tourists visit and includes theatres, museums, concert halls, botanical gardens, theme parks, wildlife parks, historic buildings, and buildings catering for the needs of visitors to locations of natural beauty, built or archaeological heritage. The definition only includes attractions that are open to the public for at least six months of the year and does not include shopping centres or sport and leisure attractions (e.g swimming pools, gymnasiums, sports grounds or soft play centres etc). This policy is particularly important in the district's main urban areas where there is greater pressure for change from competing land uses.

**5.44** Where an attraction is demonstrated to be no longer financially viable the council will consider proposals for a change of use or redevelopment of the land and property on their individual merits and in accordance with the development plan. Where an attraction remains viable as an ongoing concern, an applicant will be required to demonstrate that the property has been actively marketed by providing the same detail as set out for hotels above.

**5.45** Any commercially sensitive information will be treated in confidence, although specialist financial details may be subject to independent expert assessment.

#### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS5: Supporting the District's Economy

#### **Further guidance for applicants**

- Visitor Accommodation Study (2015)
- Government's five point tourism plan
- Good Practice Guide on Planning for Tourism (2006)
- HBC, Economy Action Plan for 2015 - 2020

#### **Evidence that may be required from applicants to accompany planning applications**

- Marketing details and evidence of occupancy rates and capital expenditure as set out in the policy's supporting text
- Pre-application consultation in line with the council's Statement of Community Involvement

## EC7: Sustainable Rural Tourism

### Draft Policy EC 7

#### EC7: Sustainable Rural Tourism

Proposals involving the development of new, or extension of existing, tourist and leisure attractions or visitor accommodation in the countryside will be permitted provided that:

- it can be demonstrated that proposals for new attractions or accommodation cannot be located within or adjacent to the main towns, local service centres and primary service villages and subsequently that locations within or adjacent to secondary service villages have been fully considered
- the scale, layout and design of development is appropriate to its location and maintains or enhances the high quality of the district's built and natural environment;
- they would not cause unacceptable planning problems for other adjacent land uses;
- appropriately located existing buildings are re-used where possible;
- they result in an improvement to the range and quality of attractions and/or visitor accommodation in the area;
- they will benefit the local economy and help to protect local services; and
- they would not generate levels of traffic that would have an adverse impact upon the operation of the highway network or on highway safety or on air quality.

In particular, support will be given to proposals that meet the above criteria and form part of a comprehensive farm diversification scheme, or are directly linked to the long-term conservation and enjoyment of publicly accessible natural and cultural heritage assets.

In addition to the above criteria, proposals for caravan, holiday chalets and camping development (either new or extensions to existing sites) should be accessible to existing local services and public utilities, but should not adversely affect them.

## Justification

**5.46** The National Planning Policy Framework (NPPF) seeks to support sustainable rural tourism that benefits businesses in rural areas, communities and visitors, and which respects the character of the countryside. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Tourism is important to the Harrogate district, making a significant contribution to the local economy, creating employment opportunities and assisting in attracting investment. Tourism also helps to support rural areas and rural diversification.

**5.47** Within the district, there are a number of important architectural, historical and natural features that serve to attract visitors such as the Nidderdale Area of Outstanding Natural Beauty (AONB), the World Heritage Site at Fountains Abbey and Studley Roger and Ripon Cathedral. Other key visitor facilities include, amongst others the Harrogate International Centre and Royal Hall, Lightwater Valley Theme Park near Ripon, the

Turkish Baths in Harrogate, Mother Shipton's Cave in Knaresborough, Knaresborough Castle, Ripon Racecourse, Harrogate Theatre, Newby Hall and Harlow Carr Gardens in Harrogate. A number of special events further enhance the district as an important tourist attraction, including the Great Yorkshire Show at Yorkshire Showground in Harrogate, the Ripon International Festival and the Knaresborough Bed Race. The district also contains a wide range of visitor accommodation, in terms of size, quality and type, in rural and urban locations that plays a central role in attracting visitors to the District and in supporting the tourist related attractions and activities. Visitors to the district include the holidaymaker, the business visitor and the leisure day tripper.

- 5.48** However, there can be drawbacks arising from tourism including additional public authority costs, traffic and parking congestion, commercialisation of the historic environment and conflicts of use in the countryside. The council's approach is to therefore encourage the expansion and improvement of the range and type of tourist facilities in a sustainable manner that safeguards the district's environment.
- 5.49** In applying criterion one of the policy the council is aware that there will be certain activities that may not be suitably located within or adjacent to a built up area. Where this is believed to be the case, applicants will be expected to provide evidence to justify this position.
- 5.50** The high quality of the district's countryside and the numerous attractions and activities it has to offer attracts a large number of people each year wanting to spend time and stay in rural areas outside of Harrogate's main urban centres. This policy seeks to control the location, scale and type of tourism development within rural areas, to encourage sustainable development that minimises its impact on the environment, local communities and the highway network.
- 5.51** Development proposals should, wherever possible, make best use of any existing local public transport services in the vicinity of the application site and explore all opportunities to improve accessibility to the district's main urban centres where this is required by a Transport Assessment. Consideration should also be given as part of any proposal to providing links to the cycle/footpath network to encourage non-car travel to rural attractions.
- 5.52** Support will also be given to proposals linked to the long term conservation and enjoyment of publicly accessible natural and cultural heritage assets. This could involve the development of facilities (e.g. car parking, information centre, public amenities etc) to support visitors to a particular landscape feature, archaeological site or historical building. In all cases, the scale and nature of facilities proposed must be in keeping with the character of the site and not harm the value of the asset they are catering for.
- 5.53** In line with the NPPF, when determining applications for tourist facilities in rural areas the council will carefully weigh the local economic benefits of a proposal with the need to protect the environment. The council will refuse planning permission for development proposals that would cause irremediable harm to the very reasons that attract people to the district's countryside, principally the high quality of the landscape and the natural and built environment.
- 5.54** Camping and caravan development can be particularly intrusive in the open countryside and have an adverse impact when located within existing woodland and so deserve special consideration in areas of high quality landscape. Therefore, all caravan, camping and holiday chalet development must demonstrate that it will not cause an adverse harm to, or be prominent in, the landscape. These types of development should also be accessible to local services and utilities (including a local convenience store, public

transport and adequate water and sewerage facilities) so that they can be self-sustainable, benefit the local economy and not place unnecessary pressure on the local road network.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS4: Green Belt
- Policy GS5: Supporting the District's Economy
- Policy EC4: Farm diversification
- Policy T11: Sustainable Transport
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP4: Protecting Amenity
- Policy HP8: New Sports, Open Space and recreation development
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape Character

#### **Evidence that may be required from applicants to accompany a planning application**

- Transport assessment
- Assessment of the availability and suitability of alternative sites within or adjacent to main towns and villages

## Housing

## 6 Housing

### Housing Key Facts

- The population of Harrogate district is older than average with an above average proportion of people aged over 40.
- Proportion of detached homes and home with 4+ bedrooms in Harrogate district is significantly higher than the national and regional averages.
- Only a small proportion of households (5.7%) are living in unsuitable housing.
- The district's affordability ratio is 37% above the English average and is the highest in Yorkshire and the Humber.

STILL TO BE FINALISED

### HS1: Housing Mix and Density

#### Draft Policy HS 1

#### HS1: Housing Mix and Density

The council will seek to balance the housing market across the plan period and work towards a mix of housing identified in the Strategic Housing Market Assessment (SHMA). Housing developments should therefore seek to deliver a range of house types and sizes that reflect and respond to the identified housing needs and demands of the district's households. The mix proposed should have reference to the SHMA and be informed by:

- Local assessments of housing need
- Detailed local market assessments
- Locality and ability of the site to accommodate a mix of housing

The final mix of dwelling types and sizes will be subject to negotiation with the applicant. Applicants will be required to provide sufficient evidence to support their proposals.

Developments of 10 or more dwellings should provide 10% accessible and adaptable homes<sup>(8)</sup>.

New housing development will be expected to achieve a minimum net density of 30 dwellings per hectare. Development within the defined town and city centres of Harrogate, Knaresborough and Ripon and in urban locations with a good standard of accessibility to public transport will be expected to achieve higher densities.

Where it can be demonstrated that development at such densities would be detrimental to local character or amenity, or site constraints would prevent these densities from being achieved, then development may be permitted at a lower density.

<sup>8</sup> Accessible and adaptable homes are those that meet requirement M4(2) of the Building Regulations 2015 or any subsequent comparable standard set nationally

## Justification

- 6.1** The National Planning Policy Framework (NPPF) seeks to ensure that local housing needs are met through the provision of a range of house types and sizes based on current and future demographic trends, market trends and the differing needs of the various sectors of the community. Local authorities are expected to identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.
- 6.2** Ensuring good quality housing that meets the needs of local people underpins the Local Plan Vision and housing objectives, and is a key component of creating sustainable, quality neighbourhoods.
- 6.3** There will be a range of factors which influence demand for different sizes of homes over time, particularly demographic changes, housing affordability and wider economic performance. The council has undertaken a Strategic Housing Market Assessment (SHMA), which has estimated the size of market and affordable homes required over the plan period. The SHMA identifies that for both market and affordable housing there is a need for a mix of house sizes across the district.
- 6.4** For market housing, the SHMA report suggests that the need for different sizes of homes will be similar to the existing stock profile and that future housing provision should be focused on delivering two and three bedroom homes both for younger households and older households wishing to downsize.
- 6.5** For affordable housing, the SHMA report suggests that relative to the current housing stock there should be a move towards a greater proportion of homes for smaller households, with future provision focused on the delivery of good sized one and two bedroomed homes with some three bedroom homes to meet the needs of families as they grow.
- 6.6** Demographic projections show an ageing population, resulting in an increased need for housing that meets the needs of older people: this includes housing to enable them to live independently, sheltered housing, extra care accommodation and care homes. Policy HS5 addresses the specific housing requirements of older people.
- 6.7** A significant and increasing proportion of older people are owner-occupiers living in mainstream housing: in 2011 over 70% of the population aged 65 were owner-occupiers. Most people will, if they are able to do so, choose to remain in their own homes. Providing for homes to be adaptable will enable older households and other sections of the community likely to have a need for housing designed to meet their changing needs, to remain living in their homes for as long as possible. The council will require a proportion of development to meet the higher Building Regulations accessibility and adaptability requirement where development deliverability is not compromised.
- 6.8** In determining planning applications, the council will have regard to the overall need to deliver a mix of house sizes, the ability of specific sites to accommodate this, the character and existing housing stock of the area as well as the most up to date evidence of need/demand. The final mix of housing will be subject to negotiation with the applicant. Where applicants propose a mix of housing that does not respond to identified needs, they will be expected to provide robust evidence relating to the identified level of housing need, existing housing stock, financial viability or deliverability to support their proposals.



- 6.9** It is also important to ensure new developments make the most effective use of land. The density at which new housing development occurs should be maximised subject to the density being appropriate to the character of the area. The NPPF states that local planning authorities should set out their own approach to housing density to reflect local circumstances.
- 6.10** It is considered that the minimum net density of 30 dwellings per hectare (dph) would be appropriate across the district. Within the town and city centre areas of Harrogate, Knaresborough and Ripon, defined on the Policies Map, where higher density developments can be more easily achieved through terraced or flatted development schemes, or locations in urban areas with good access to public transport a development density of up to 50 dph is considered reasonable. In exceptional circumstances, development at a significantly higher density may be appropriate. The density requirement would apply to the 'net' development area which is the developable area of the site excluding areas such as major distributor roads, community facilities (such as a new school or health centre), significant areas of open space and landscaping and green infrastructure.
- 6.11** Lower density schemes will only be acceptable where the character or amenity of the locality would be clearly harmed or where site constraints, for example, ecological or heritage interest, ground conditions, contamination or access problems dictate a reduced developable area or capacity.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HS2: Affordable Housing
- Policy HS5: Older People's Housing
- Policy HP3: Local Distinctiveness
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

#### **Further guidance for applicants**

- Strategic Housing Market Assessment

#### **Evidence that may be required from applicants to accompany a planning application**

- Evidence relating to the identified level of housing need, financial viability or deliverability to support proposals that do not respond to identified need.

## HS2: Affordable Housing and Starter Homes

### Draft Policy HS 2

#### HS2: Affordable Housing and Starter Homes

The council will require 40% affordable housing on all developments including mixed use schemes and conversions, subject to viability and the demonstration of the need for affordable housing.

On all developments comprising eleven or more dwellings, or where the combined residential gross floorspace exceeds 1000sq m, on site provision will be expected. In exceptional circumstances, off-site provision or a commuted sum in lieu of on-site provision may be acceptable.

On developments comprising six to ten dwellings, or where the residential gross floorspace exceeds 1000sq m, in areas designated as rural areas under Section 157(1) of the Housing Act 1985 (as shown on the Policies Map), a financial contribution for the provision of affordable dwellings as a commuted sum will be sought unless the developer makes on site provision.

Starter homes will be required in line with national policy.

The final tenure mix of the affordable housing on individual sites will be determined through negotiation, taking account of up-to-date assessments and the characteristics of the area.

The affordable homes should be distributed across the development and integrated with the scheme design and layout such that they are indistinguishable from the market housing on the same site.

Planning permission will be refused for development proposals where it appears that a larger site has been deliberately sub-divided into smaller development parcels in order to avoid the requirements of this policy.

Where a development proposal does not meet the above requirements, the applicant will be required to provide evidence to support this including, where appropriate, the submission of a development appraisal.

### Justification

- 6.12** The National Planning Policy Framework (NPPF) (paragraph 50) highlights the need for local plans to 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'.
- 6.13** Average house prices within Harrogate district are significantly higher than national and regional averages. The availability of affordable housing, therefore, is a key issue to be addressed as it impacts upon the retention of skills and talent in the district and has a major influence upon the local economy and quality of life.
- 6.14** Affordable housing is provided for rent or purchase on a subsidised basis to eligible households who cannot meet their housing needs on the open market. Eligibility is determined with regard to local incomes and local house prices. There are currently three main types of affordable housing tenure (as defined in the NPPF): social rented, affordable rented and intermediate which include provisions for the housing to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

- 6.15** To assess the need for affordable housing in the district during the plan period, a Strategic Housing Market Assessment (SHMA) has been undertaken. The SHMA considers both the current unmet affordable housing need and the projected future affordable housing need in the context of the existing affordable housing stock having regard to a range of factors including the number of emerging households, housing waiting list demand, house prices and income levels. The SHMA findings provide clear evidence of the need to increase the supply of affordable housing across the district. Overall the SHMA analysis identifies a need of just under 5,400 affordable homes in the period from 2014 to 2035, equating to a requirement for 256 additional affordable homes per annum. To help meet this need, it is appropriate that a proportion of new residential development within the district should, where it is viable to do so, contribute towards meeting affordable housing needs.
- 6.16** Not all affordable housing will be delivered through contributions from developers on market housing sites. Affordable housing will also be delivered by: utilising the council's resources including developing land in its ownership; bringing empty homes back into use; the acquisition of existing properties; and working with Registered Providers.

### Target

- 6.17** The council appointed consultants HDH Planning and Development to undertake a Whole Plan and CIL Viability Assessment as part of the evidence base to the emerging Local Plan. The purpose of this work is to assesses and test the viability of the proposed development strategy and planning policies contained within the draft Local Plan in order to determine the deliverability of the plan as a whole. Further viability work is required on a number of key assumptions including infrastructure costs and the impact of starter homes on development viability. This work is on-going and will be used to inform the policy position set out in the council's Publication Draft Local Plan due to be published during the summer of 2017 for consultation. Depending on the outcome of this further viability work, the council will consider the need to amend this policy to include a different affordable housing requirement for a new settlement allocation and for specific strategic sites, but it is anticipated that the 40% requirement will remain for all other developments, subject to site specific viability, should the government confirms their policy to include starter homes under the definition of affordable housing. In circumstances where an applicant can demonstrate, through the submission of a development appraisal, that 40% affordable housing provision would not be viable the council will consider the provision of a reduced amount of affordable housing so as to make the scheme viable.

### Site threshold

- 6.18** The site thresholds are derived from those set out in the [Written Ministerial Statement](#) of 28 November 2014.

### Tenure

- 6.19** Evidence from the SHMA indicates an appropriate tenure mix of 76% social/affordable rented and 24% intermediate housing. Whilst the council will aim to achieve this split across all affordable development, it is not necessarily expected to be achieved on each individual site and the council will seek to agree the tenure mix with the applicant based on evidence of local need and the characteristics of the local area. The role and ability of Registered Providers to participate in delivering a mix of tenures will be considered in determining the tenure split with the landowner and developers, as will any additional forms of tenure that will be regarded as contributing towards affordable housing requirements.

## Commuted sums

- 6.20** Where a commuted sum is sought this will be broadly equivalent to providing 40% of the total number of dwellings as affordable. In exceptional circumstances, and where it can be robustly justified, it may be appropriate to take a financial contribution on sites above the on-site threshold where doing so would meet wider planning or housing objectives e.g. on flatted schemes where management arrangements may make on-site affordable housing more expensive through the application of service charges. All financial contributions received will be ring fenced and used to provide affordable housing by the council itself.

## Other issues

- 6.21** The size of a development site should not be artificially reduced to reduce or eliminate the affordable housing requirement, for example by sub-dividing sites or reducing the density of all or part of a site. To avoid sites being subdivided to below the relevant threshold size, this policy will apply on the basis of the composite or naturally defined larger area. Planning applications for development which forms part of a more substantial proposed development, on the same or adjoining land will be treated as an application for the whole development. This also applies if the development is proposed in phases, with later phases having to fulfil affordable housing requirements from previous phases, if this has not been adequately provided for.
- 6.22** To promote mixed communities and minimise social exclusion, all new residential developments will be required to be designed so that the affordable housing is well integrated within the open market housing both in terms of design and location within the development. The affordable housing should be integrated into the layout of the development through 'pepper potting' in small groups and not disproportionately allocated to the site periphery or in one particular area. Developers are required to discuss at an early stage appropriate layout and phasing of the development with the council.

## Starter homes

- 6.23** The Housing and Planning Act received Royal Assent in May 2016. This details legislative changes to the planning system including a requirement for local authorities to promote the delivery of starter homes in their area. This will come into force on a date to be specified in future regulations. The detail of how the starter homes provision will operate in practice will also come later through statutory instruments and secondary regulations (expected to be made in October 2016) and revisions to the NPPF and/or national Planning Practice Guidance.
- 6.24** Starter homes are defined as market housing with a 20% reduction on the normal market price. They would be limited to first time buyers under the age of 40 and capped at £250,000. The legislation seeks to ensure that a proportion of affordable housing on development sites would be starter homes or that the developer make a financial contribution in lieu of on site provision. In March 2016, the government published a technical consultation that sought views on the details for the regulations to support the starter homes clauses in the Housing and Planning Act. This included what an appropriate minimum site threshold for the starter homes requirement might be and the percentage of starter homes to be required on relevant sites. The outcome of this consultation is awaited, however, whatever proportion of housing must be provided as starter homes, it is expected that this will impact on the number of homes built under the traditional definition of affordable homes.

- 6.25** The draft policy reflects, as far as it can, the intentions of the Housing and Planning Act. It is, however, expected that the final policy and supporting justification will have to change to reflect the related regulations and guidance when published and/or show a degree of flexibility in the approach to starter homes.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

##### **Further guidance for applicants**

- Strategic Housing Market Assessment

##### **Evidence that may be required from applicants to accompany a planning application**

- Development appraisal

##### **Designations/boundaries to be shown on the policies map**

- Rural areas designated under Section 157(1) of the Housing Act 1985

### **HS3: Self and Custom Build Housing**

#### **Draft Policy HS 3**

##### **HS3: Self and Custom Build Housing**

Proposals for self and custom build housing, to be occupied as homes by those individuals, will be supported by the council where they are in conformity with all other relevant local and national policies.

On sites of 20 dwellings or more, developers will be required to supply at least 5% of dwelling plots for sale to self-builders, subject to appropriate demand being identified. In determining the nature and scale of any provision, the council will have regard to viability considerations and site specific circumstances.

Where a developer is required to provide self build plots, the plots should be made available and marketed appropriately for at least 12 months. Where plots which have been appropriately marketed have not sold within this time period, these plots may be built out as conventional market housing by the developer.

Communities preparing Neighbourhood Plans will be encouraged to consider the identification of sites specifically for self and custom-build projects within their neighbourhood plan area.

## Justification

- 6.26** The NPPF requires local planning authorities to widen opportunities for home ownership by identifying the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. The Government wants to enable more people to build or commission their own home and wants to make this form of housing a mainstream housing option.
- 6.27** In line with this, the Self and Custom Build Act 2015, requires local authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in their area in order to build homes for those individuals to occupy. A Custom/Self Build Register has been established in order to provide evidence of demand for custom/self build plots within Harrogate district. At the time of preparation of this Local Plan there are only a small number of entries on the register, indicating limited existing demand for plots, however it will not be possible to accurately establish demand until the register has been up and running for a greater period of time. The NPPG states that local planning authorities should use the demand data from the registers in their area, supported as necessary by additional sources, when preparing their SHMA to understand and consider future need for this type of housing in their area. The council will continue to collect evidence in order to develop a fuller understanding of the demand for self/custom build. This policy will be reviewed once further understanding of local demand has been established.
- 6.28** Where a developer is required to provide self build plots it will be expected that plots which have been made available and marketed appropriately for at least 12 months and have not sold, may be built out by the developer. Developers will be required to demonstrate to the local planning authority that appropriate marketing has taken place before self build plots can be released for development with conventional market housing.
- 6.29** Planning permissions relating to self-build plots will require self build developments to be completed within three years of a self-builder purchasing a plot. Self or Custom Build housing is subject to the requirements of the Harrogate District Local Plan, including Affordable Housing, Housing Mix and Density, Older People's Housing, Space Standards, Design and planning obligations.
- 6.30** Further guidance from the government on self build is expected. The council will review the need to publish additional local guidance/SPD relating to the practical delivery of self/custom build sites.

### Definition of self and custom build housing

- 6.31** Self-build is where someone directly plans the design and construction of their own home. Finding and buying the plot of land and either physically undertaking the work themselves as a 'DIY' project or arranging for a contractor to build their own home for them.
- 6.32** Custom build projects are where someone works with a specialist developer to deliver their new home. In this scenario, the custom builder may secure the site for you and manage the build of your home.
- 6.33** For the purpose of this policy, the terms Custom and Self Build relate to a range of dwellings which may be based on:
- Self build homes: where a person manages the design and construction and may undertake some of the building work or contract it to others.

- Contractor built homes: after deciding on a design, a contractor is employed to do all of the building work.
- Independent community collaboration: where a group of people acquire a site and split it into plots for self build homes, which may include sharing labour and expertise.
- Supported community self build: where a social landlord or a similar supportive body, helps people build a group of homes together.

**6.34** Homes built to a customer's specification by a developer, based on a range of their designs, do not represent a custom-build home.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HS1: Housing Mix and Density
- Policy HS2: Affordable Housing
- Policy HS5: Older People's Housing
- Policy HS6: Space standards
- Policy HP3: Local Distinctiveness
- Policy HP5: Design
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

#### Further guidance for applicants

- Harrogate Borough Council Self Build Register  
<https://www.harrogate.gov.uk/Pages/Self-build-and-custom-housebuilding-register.aspx>
- The Self Build Portal <http://www.selfbuildportal.org.uk/>
- National Self Build Association <http://www.nacsba.org.uk/>
- Community Self Build Agency <http://www.communityselfbuildagency.org.uk/>

## HS4: Older People's Specialist Housing

### Draft Policy HS 4

#### HS4: Older People's Specialist Housing

Developments specifically designed to meet the accommodation needs of older people will be supported where it:

- Contributes to meeting an identified need;
- Is in a location accessible by public transport or within walking distance of community facilities such as shops, medical services and public open space or, where this is not the case, such facilities are provided on site.

Where developments fall within Use Class C3 affordable housing will be required in accordance with Policy HS2.

## Justification

- 6.35** Harrogate district has a population that is older than the national average, with a relatively high proportion of people aged 85 or over. As people live longer this trend is predicted to continue with significant growth in the district's population aged over 65, higher than that predicted both regionally and nationally. The health of this section of the population is also expected to decline with a significant increase in the number of people with dementia or mobility problems. This is likely to present some challenges. Ensuring appropriate accommodation in suitable locations is available to meet everyone's needs, including enabling older people to remain in their homes longer, was identified by the council's [Housing Strategy 2015-20](#) as a key issue to be addressed.
- 6.36** The specific housing needs and aspirations of older people and the ability for them to exercise choice and control over meeting these needs will vary. In order to ensure provision for such needs a wide range of housing types and tenures will be required (through Policy HS1). Whilst the majority of older people will live in mainstream housing there will be a need for new specialist accommodation provision such as sheltered housing and extra care provision. North Yorkshire County Council's '[The Need for Extra Care Housing](#)' (February 2015) identified a particular need for additional extra care provision in the Harrogate and Ripon areas. The [Strategic Housing Market Assessment](#) (SHMA) identifies that in the longer term there may also be a requirement for additional registered care provision, such as nursing and residential care homes. The amount and type of specialist accommodation required will depend on a range of factors including individual choice. The council will consult with health and social care services on larger planning applications and/or those that could have service provision implications.
- 6.37** Where specialist accommodation is provided, it will be important to ensure that it enables residents to live independently as far as possible by ensuring it is located close to facilities and services or that they are accessible by public transport. Strategic sites (of over 500 dwellings), because they are generally larger, may also be able to incorporate a wider range of accommodation suitable for older people.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Proactive Guidance (NPPG)
- Policy HS1: Housing Mix and Density
- Policy HS2: Affordable Housing and Starter Homes

#### Further guidance for applicants

- Strategic Housing Market Assessment (SHMA)
- HBC, Housing Strategy

#### Evidence that may be required from applicants to accompany a planning application

- Care Needs Assessment

#### Designations/boundaries to be shown on the policies map



**HS5: Space Standards****Draft Policy HS 5****HS5: Space Standards**

All new market and affordable homes should, as a minimum, meet the relevant Nationally Described Space Standard.

This policy does not apply to an extension to a dwelling or a material change of use.

**Justification**

- 6.38** Space is an important factor when people are choosing a home and influences how they live. A lack of space can compromise basic lifestyle needs such as having enough space to store possessions and can also have more profound impacts on an occupant's health and wellbeing.
- 6.39** In October 2015, the Nationally Described Space Standard (NDSS), which are set by the government, came into effect. The NDSS deals with the internal space within new dwellings and seeks to ensure that they provide a reasonable level of internal space to undertake typical day to day activities, at a given level of occupancy. They reflect what the government considers to be the minimum space standards required to allow for modern living and, as such, represent a clear and consistent benchmark for developers.
- 6.40** A review of the size and type of dwellings being built in the district<sup>(9)</sup> indicated that smaller market and most affordable properties usually fail to meet the relevant space standard set out in the NDSS. Providing homes of sufficient size with the ability to adapt to changing lifestyles and family requirements over time is a key part of delivering sustainable communities. It will be important to ensure that new homes (of all tenures) achieves this by meeting the relevant NDSS.
- 6.41** To enable developers to factor in the cost of building to the NDSS into future land acquisitions the application of this policy will come into effect \* months following adoption of the Local Plan.

**Further Information****Related planning policies**

- National Planning Practice Guidance (NPPG)

**Further guidance for applicants**

- Nationally Described Space Standards (NDSS)

9 undertaken in January 2016

## HS6: Conversion of Rural Buildings for Housing

### Draft Policy HS 6

#### HS6: Conversion of Rural Buildings for Housing

Outside defined settlement development limits, the conversion and/or re-use of existing buildings to residential use from other uses will be supported where:

- A. The building is of permanent and substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction;
- B. The scale, form and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;
- C. The proposed alterations are of a high quality design, retaining the features that contribute positively to the character of the building and its surroundings;
- D. The building and its curtilage can be developed without an adverse effect on the historic environment, the character of the local landscape or its setting;
- E. It can be demonstrated that there is no significant impact on local biodiversity, including protected habitats and species;
- F. The proposed use would not harm the countryside by way of traffic, parking, storage, pollution or the erection of associated structures;

Developments under this policy will be expected to comply with the affordable housing and open space provision policies of the Plan.

Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, permitted development rights will be withdrawn for such development.

### Justification

- 6.42** Traditional rural buildings are an important part of the district's built heritage and are a significant feature in the landscape. Conversion and re-use offers the opportunity to retain these buildings and put back into beneficial use rather than being allowed to fall into disrepair. Re-use for economic development purposes will usually be preferable, but residential conversions may be appropriate in some locations and for some types of buildings.
- 6.43** The council will require comprehensive information on the current structural condition of the building and the method by which it is proposed to convert it to the new use to assess whether it is of substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction.
- 6.44** Recent legislative changes have introduced more flexibility about the conversion and re-use of existing agricultural buildings in rural areas for residential development without the benefit of planning permission. These permitted development rights do not apply to listed buildings or buildings located within a conservation area or within the Nidderdale Area of Outstanding Natural Beauty.

- 6.45** This policy is, therefore, intended to apply to schemes outside of the exemptions covered by permitted development or conversion from non-agricultural uses.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS3: Development Limits
- Policy HS2: Affordable Housing and Starter Homes
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP8: New Sports, Open Space and Recreation Development
- Policy NE3: Protecting the Natural Environment

#### Further guidance for applicants

- Conversion of rural buildings design guide - [http://www.harrogate.gov.uk/plan/Documents/Planning%20Guidance/DS-P-RuralReuse\\_1992.Pdf](http://www.harrogate.gov.uk/plan/Documents/Planning%20Guidance/DS-P-RuralReuse_1992.Pdf)
- Harrogate Borough Council Heritage Management Supplementary Planning Document (2014)
- Nidderdale Traditional Farmsteads

#### Evidence that may be required from applicants to accompany planning applications

- Protected species survey
- Structural survey of building

## HS7: Replacement Dwellings in the Countryside

### Draft Policy HS 7

#### HS7: Replacement Dwellings in the Countryside

Proposals for replacement dwellings will be permitted where it meets all of the following criteria:

- A. the new dwelling is located on the site of, or close to, the existing dwelling to be cleared;
- B. the new dwelling is not materially larger than the existing dwelling;
- C. the new dwelling has satisfactory access arrangements;
- D. the new dwelling is of a design which in terms of scale, mass, materials and architectural detail is sympathetic to the landscape character and local vernacular;
- E. the new dwelling is sited to preclude retention of the existing dwelling or the applicant is willing to accept a condition to ensure its demolition on completion of the new dwelling.

## Justification

- 6.46** Where dwellings in the countryside become redundant and are no longer suitable for residential accommodation due to their condition, there is occasionally pressure to replace them with a new building. Abandoned or derelict dwellings will not be appropriate for replacement, nor will listed buildings. The possibility of the existing building providing a habitat for protected wildlife should also be considered. Countryside is defined as all land outside the development limits of settlements
- 6.47** In order to protect existing landscape character it is important to control the location, size and design of the new dwelling. The replacement dwelling should be located on the site of, or as near as possible to, the cleared site of the original. Exceptionally, more distant locations may be preferable in terms of reducing landscape impact. The replacement dwelling must be either of a smaller size or not be materially larger than the existing dwelling. This would not include any planning permissions or extensions that would be permitted development that have not been implemented.
- 6.48** The area of accommodation in the new dwelling shall not be materially larger than the existing area and in certain instances, where a large conservatory or extension of insubstantial construction has extended the original floor area, this area may be reduced if its replacement is of solid construction that would have greater visual impact than the existing. Where it is appropriate to increase first floor area in order for the dwelling to better reflect the vernacular, there should be an equivalent reduction in ground floor area. In order to prevent the replacement of modest dwellings in the countryside with overly large houses, it is important that new dwellings should reflect the size of the original dwelling. The replacement dwelling should reflect local distinctiveness, or in exceptional cases and where appropriate to its context, be of high quality contemporary design sufficient to justify the departure from policy.
- 6.49** To prevent the possibility of two dwellings being available where permission is granted, a condition or legal agreement will be required to ensure that the existing dwelling is demolished and the site reinstated once the new dwelling is completed.
- 6.50** Where dwellings are replaced, permitted development rights may be withdrawn in order to control further extensions that may impact on the landscape or rural character of the area. An application for a replacement dwelling will be required to provide a reasoned justification for the proposal.
- 6.51** This policy relates to isolated dwellings in the countryside and does not cover replacement dwellings in villages.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP3: Local Distinctiveness
- Policy HP5: Design
- Policy NE4: Landscape Character
- Policy HP2: Heritage Assets

#### Further guidance for applicants

**HS8: Extensions to Dwellings****Draft Policy HS 8****HS8: Extensions to Dwellings**

Extensions to dwellings will be permitted provided that all the following requirements are met:

- A. there is no adverse impact on neighbouring residential amenity;
- B. there is no adverse loss of parking or garden/amenity areas;
- C. there is no adverse impact to the character or appearance of the dwelling or the surrounding area;
- D. the extension should not be designed to facilitate the subdivision of the dwelling into separate dwellings nor undermine the retention of any occupancy condition.

**Justification**

- 6.52** An extension should be designed to be in sympathy with the original building with properly matching materials and architectural components. The size, scale and form of an extension should be compatible with the existing building and its surroundings. To respect privacy, extensions should be designed to avoid overlooking neighbouring windows (unless separated by at least 21 metres) and gardens. The position, height and orientation of an extension should avoid unreasonable obstruction of sunlight and daylight to neighbouring properties. An extension should not result in the loss of residents' and visitors' parking so as to cause a shortfall in meeting the county council's parking standards for housing. An adequate area of private outdoor amenity open space should also remain to provide for normal domestic needs. Further guidance can be found in the House Extensions and Design Guide ([Link](#))
- 6.53** In the countryside strict control is exercised over the construction of new dwellings, therefore it is important to prevent extensions to dwellings becoming tantamount to a new dwelling, especially in Green Belt areas. An extension of the ground floor area by more than 50% will not normally be permitted unless there is clear evidence of need for household occupation. To minimise pressure for the removal of occupancy conditions, permission for extensions to dwellings subject to such conditions will be granted only where the size of the new dwelling would not exceed that which could be justified by the functional requirement for the related enterprise.

**Further Information****Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP3: Local Distinctiveness
- Policy HP4: Protecting Amenity
- Policy HP5: Design
- Policy HP2: Heritage assets

**Further guidance for applicants**

- House Extensions and Design Guide

### Evidence that may be required from applicants to accompany a planning application

- Heritage statement for extensions to historic buildings

## HS9: Rural Worker's Dwelling

### Draft Policy HS 9

#### HS9: Rural Worker's Dwelling

New permanent isolated dwellings in the countryside will not be permitted unless it can be shown that there is an essential need for a rural worker to live permanently at or near their place of work within the countryside. In determining whether such need exists, the local authority will consider whether the following criteria are met:

- A. there is a clearly established existing functional need;
- B. the need relates to a full-time worker, or one who is primarily employed in rural employment and does not relate to a part-time requirement;
- C. the unit and the rural employment activity concerned have been established for at least three years, have been financially sound for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- D. the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- E. other planning requirements, e.g. in relation to access, or the impact on the countryside are satisfied.

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should for the first three years, be provided by a temporary dwelling unless exceptional circumstances can be demonstrated.

## Justification

- 6.54** The National Planning Policy Framework (NPPF) (Para. 55) states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. In line with the NPPF, where it can be shown that accommodation is required to enable agricultural or forestry workers to live at or within the vicinity of their place of work, new dwellings may be justifiable. A functional test will be necessary in order to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Whether this is essential or not will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of the applicants. It will also be necessary to establish that the enterprise is capable of being sustained for a reasonable period of time.
- 6.55** New permanent rural workers accommodation should only be permitted where it can be demonstrated that the enterprise is economically viable. A financial test will be required in order to prove this and to provide evidence of the size of the dwelling which

the enterprise can sustain. Rural workers dwellings should be of a size commensurate with the established functional requirement. Dwellings which are unusually large in relation to the rural employment needs of the unit should not be permitted.

**6.56** Where permission is granted for a rural worker's dwelling, it will be necessary to ensure that the dwellings are kept available for meeting this need. As such planning permission should be made subject to an appropriate occupancy condition.

**6.57** If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. If permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in the policy are met.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape Character

#### **Further guidance for applicants**

- [Heritage Management Guidance Supplementary Planning Document \(SPD\)](#).
- Residential Design Guide

#### **Evidence that may be required from applicants to accompany planning applications**

- Financial test
- Functional test

## Transport and Infrastructure



## 7 Transport and Infrastructure

### Transport and Infrastructure Key Facts

- District has benefited from significant recent investment in broadband infrastructure.
- Only 16.4% of the households do not own a car/van compared to 27.6% nationally.

STILL TO BE FINALISED

### TI1: Sustainable Transport

#### Draft Policy TI 1

#### TI1: Sustainable Transport

The council will work in partnership with other authorities, transport providers and local groups to promote a sustainable and improved transport system which is safe, reliable, and convenient and will:

- Improve road and rail connections both within the district and to the wider area, in particular the improvement of the Leeds Harrogate York Railway.
- Seek reductions in traffic congestion in Harrogate, Knaresborough and Ripon.
- Promote improvements to public transport, including the provision of better parking at rail stations and park and ride facilities, the creation of walking and cycling routes, provision of electric vehicle charging points for both cars and bikes, the Harrogate car-share scheme and measures to reduce air pollution.
- Ensure development proposals seek to minimise the need to travel and achieve more sustainable travel behaviour by requiring all developments which will generate significant amounts of traffic to be supported by a Transport Statement or Transport Assessment and a Travel Plan.
- Locate, as far as possible, the majority of future development so that it is accessible to a station on the Leeds Harrogate York Railway or within the Key Bus Service Corridor.
- Improve accessibility in rural areas.
- Undertake a Strategic Transport Priorities Study for the district in order to set out the council's priorities for sustainable transport.

### Justification

- 7.1** The National Planning Policy Framework (NPPF) states that local planning authorities should work with other authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development. In paragraph 29 the framework sets out the need for the transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel and therefore the need to make the fullest possible use of public transport,

walking and cycling and to support transport measures that help to reduce greenhouse gas emissions and reduce congestion. Recognition is also given to the fact that this will be achieved differently in rural areas and the need for road improvements where this will contribute towards sustainable development.

**7.2** North Yorkshire County Council (NYCC), as the Local Highway Authority, has set out its long term vision for how improved transport in North Yorkshire can contribute towards a thriving economy in its Strategic Transport Prospectus 2015, which sets out three main Strategic Transport Priorities: improving east-west connectivity, improving access to high speed and conventional rail, and improving long distance connectivity to the north and south. In April 2016, it also published the Local Transport Plan 2016-2046 (LTP4) setting out its proposals for and approach to transport provision. These documents detail a number of key sustainable transport proposals which are particularly relevant to the creation of a sustainable transport system in Harrogate district and where the council is working closely with the county council and other stakeholders. These include:

- **Leeds Harrogate York Railway:** a transformational change to the line delivering improved journey times is proposed including, increased train frequency, modern high quality rolling stock and customer service and ultimately electrification. Double tracking of the single track sections to the east of Knaresborough will be taking place over the next 10 years. These improvements will provide the district with a better link to the wider rail network and future HS2 Hub stations at Leeds and York. Harrogate Station is also identified as a key station for significant improvement, and the need for improved parking and transport interchange at stations along the line is recognised.
- **A59 Harrogate Relief Road Study:** In parallel with the traffic modelling work the borough council has undertaken as part of the process of preparing this local plan, North Yorkshire County Council has undertaken testing of relief road options to assess whether the local plan housing allocations will influence the choice of potential preferred routes for a possible relief road which is intended to improve east-west connections, address urban congestion issues and journey time reliability.
- **Priority areas to tackle traffic congestion:** NYCC have identified Harrogate, Knaresborough and Ripon as priority areas in which to address traffic congestion. In recognition that congestion is an important issue in many of the district's larger settlements, the Local Plan includes a draft objective to reduce congestion and the council will continue to work with NYCC to identify schemes to reduce existing and future congestion,
- **Sustainable and healthy transport:** a range of measures are being undertaken jointly including measures to reduce air pollution from transport and encourage walking and cycling. The Harrogate and Knaresborough Cycling Implementation plan has been reviewed and updated and will inform future mitigation measures in relation to development proposals. This work is being undertaken with the Harrogate District Cycle Forum. NYCC will be undertaking a cycle study in Ripon following developer contributions received in association with planning permission granted for housing at Bellman Walk in Ripon.

**7.3** NPPF in paras 32 and 36 identifies the important role played by Transport Assessments, or Transport Statements, and Travel Plans in assessing and mitigating the negative transport impacts of development and promoting sustainable development. These will be required for all developments which generate significant amounts of traffic and should positively contribute to:

- **encouraging sustainable travel,**
- **lessening the traffic generated and its detrimental impacts,**

- **reducing carbon emissions and climate impacts,**
- **creating accessible, connected, inclusive communities,**
- **improving health outcomes and quality of life,**
- **improving road safety, and**
- **reducing the need for new development to increase existing road capacity and provide new roads.**

**7.4** North Yorkshire County Council as the local highway authority will advise on when these assessments will be required.

**7.5** Sustainable transport has been a factor in the development of this plan's growth option which is focused around the key public transport corridors. This has been chosen based upon how a number of growth options, consulted upon as part of the Issues and Options Consultation in October 2015, performed when assessed against the Sustainability Appraisal and land availability. The need for new homes and jobs is being met as far as possible in those settlements which are well related to the Key Public Transport Corridor. This includes the Key Bus Service Corridor and the Leeds Harrogate York Railway.

**7.6** The council will be producing its own Strategic Transport Priorities Study to inform the council's response on transport matters.

**Further Information**

**Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy TI3: Parking Provision
- Policy TI2: Protection of transport routes and sites

**Further guidance for applicants**

- Local Transport Plan 2016-2046 (LTP4) - North Yorkshire County Council ([link](#))
- Strategic Transport Prospectus 2015 - North Yorkshire County Council ([link](#))

**Evidence that may be required from applicants to accompany a planning application**

- Proposals that generate significant amounts of traffic must be supported by a Transport Statement or Transport Assessment and will normally be required to provide a Travel Plan. Further guidance on this requirement can be found at: <http://www.northyorkshire.gov.uk/transport/transport-statement-and-transport-assessment>
- A validation certificate relating to this requirement must accompany planning applications where required and must be signed by North Yorkshire County Council as the Local Highway Authority.

**TI2: Protection of Transport Sites and Routes****Draft Policy TI 2****TI2: Protection of Transport Sites and Routes**

New sites and routes which have the potential to contribute towards the provision of a sustainable and improved transport system will be safeguarded where there is a reasonable prospect of them accommodating new transport infrastructure before 2035. This will apply when a scheme is:

- A. included within the investment strategies or plans produced by Highways England, as the strategic highway authority, North Yorkshire County Council, as the local highway authority, or by another body or organisation contributing towards the creation of a sustainable and improved transport system for the district, and for which there is an agreed preferred route or site.
- B. along the route of a former railway line; in particular the sections of the Harrogate-Ripon-Northallerton line and the Harrogate to Wetherby line that lie within Harrogate district.
- C. a cycle or pedestrian route identified by the local highway authority or the district council and included within an approved plan or strategy.

**Justification**

- 7.7** The importance of identifying and protecting, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice, is set out in NPPF para 41. The council works closely with North Yorkshire County Council as the local highway authority and Highways England as the strategic highway authority in order to integrate development proposals with transport provision and will seek to protect routes or sites required for new transport infrastructure where appropriate.
- 7.8** The council through the Harrogate District Local Plan 2001 has given long term protection to the routes of former railway lines for use as cycle paths in response to the need to create a more sustainable transport system by encouraging more trips to be made by walking and cycling. In recent years 4 miles of the former railway between Harrogate and Ripley have been converted into the Nidderdale Greenway, a traffic free path which also links to cycle routes to Starbeck and Knaresborough, and forms part of a wider network of cycle paths included in the Harrogate and Knaresborough Cycling Implementation Plan which has now been updated.
- 7.9** The long term protection of former strategic rail routes provides options for sustainable transport in the future. North Yorkshire County Council's Strategic Transport Prospectus 2015 provides a long term vision for how improved transport in North Yorkshire can contribute towards a thriving northern economy. The Strategy supports in principle proposals for rail reopening and also identifies the need for a new railway from Leeds to Harrogate and Ripon joining the East Coast Mainline north at Northallerton. This policy therefore continues the protection of the Harrogate-Ripon-Northallerton and Harrogate-Wetherby sections of the line within the district, for future transport use. Whilst parts of both these former railway lines are currently used as cycle paths it is considered that rail and cycle use could co-exist in the future.

- 7.10** The council is working closely with North Yorkshire County Council and the Harrogate District Cycle Forum to update cycle strategies for the urban areas. These will include routes for new cycle infrastructure required in association with sites allocated under Policy DM1, linking new developments to existing cycle networks, key services and facilities.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy DM1- Site Allocations.

##### **Further guidance for applicants**

- North Yorkshire County Council's Strategic Transport Prospectus 2015

##### **Designations/boundaries to be shown on the policies map**

- Protection of former railway routes.

### **TI3: Parking Provision**

#### **Draft Policy TI 3**

##### **TI3: Parking Provision**

When considering the provision of parking, proposals for development should recognise an overall need to reduce the use of private cars, and take suitable account of the following factors:

- A. The need to provide safe, secure and convenient parking at appropriate levels, including parking or storage for cycles, motor cycles and, where relevant, coaches and lorries.
- B. Parking standards for cars, cycles, motorised two wheel vehicles, disabled parking and operational servicing requirements as prepared by the local highway authority, North Yorkshire County Council.
- C. Policies set out in the North Yorkshire County Council Parking Strategy (and successive strategies).
- D. Where relevant, the location of the site within an area covered by an Area Travel Plan.
- E. Where appropriate, the need to make provision for car club and car share parking spaces.
- F. Means to encourage the use of low emission vehicles as part of the proposal, including the ability to provide electric vehicle charging points.

## Justification

- 7.11** The National Planning Policy Framework (NPPF) (Para. 29) identifies that the transport system needs to be balanced in favour of sustainable transport modes in order to give people a real choice about how they travel. The framework also supports transport measures that help to reduce greenhouse gas emissions and reduce congestion. In recognition that congestion is an important issue in many of the district's larger settlements, the Local Plan includes a draft objective to reduce existing congestion. As the availability of parking spaces has an influence on how people choose to travel, the provision of parking in connection with new development can help to minimise car use in order to help achieve these aims.
- 7.12** The 2011 census shows that car ownership in Harrogate district is higher than the national average, with 84% of households owning a car or van compared to the national average of 74%. The higher level of ownership is reflected in a higher proportion of residents driving to work in a private car or van, 57.8% in the district compared to 54% nationally.

## Parking guidance and parking standards

- 7.13** The NPPF identifies a number of issues to consider when setting local parking standards for residential and non-residential development:
- The accessibility of the development
  - The type, mix and use of development
  - The availability of and opportunities for public transport
  - Local car ownership levels
  - An overall need to reduce the use of high-emission vehicles
- 7.14** Provision for cyclists, sustainable travel measures (such as car clubs and the provision of car share spaces), accessibility to public transport, and availability of public parking all have a bearing on the level of parking to be provided as part of development proposals. The amenity value and character of an area, particularly where heritage assets or areas of high landscape value are affected, must also be considered when determining the level of parking appropriate in relation to a development proposal. To this end, where opportunities exist, the use of shared parking provision should be investigated. The local highway authority, North Yorkshire County Council, has set out guidance on a range of transport issues in the document Interim Guidance on Transport Issues (2015) ([LINK](#)). The document sets out the parking standards to be used across the Harrogate district.

## North Yorkshire County Council Parking Strategy

- 7.15** While Harrogate Borough Council is responsible for off street car parks under the council's control, North Yorkshire County Council is responsible for on-street parking throughout the district. The North Yorkshire County Council Parking Strategy (2011) relates to all aspects of parking under the control of the county council. In the longer term, it is the county council's hope to work with partners to develop a strategy covering both on and off street parking.
- 7.16** The strategy should be read in the context of the current [North Yorkshire Local Transport Plan](#), which sets out the wider transport strategy for the county. The plan recognises the importance of managing on-street parking provision because of the potential for major impacts on the transport network. It identifies that appropriate management can deliver a range of benefits including reducing traffic congestion, improving localised air quality, road safety and access to public transport, and improving

parking and servicing of businesses. The county council has begun working on a new local transport plan that will provide an updated approach to all aspects of the local transport system for the next 30 years.

### Area travel plans

- 7.17** Travel plans are long-term management strategies that seek to deliver sustainable transport objectives in relation to a particular organisation or development site through specified actions. Area travel plans cover a set of sites in a particular geographical area where the sharing of resources and ideas for developing and implementing travel plans can lead to greater success for each party in achieving sustainable transport objectives. Organisations in the area still develop their own travel plans but there is usually also a shared travel plan for the whole area. Area travel plans could be developed for key business and visitor destinations in Harrogate.

### Provision of electric vehicle charging points

- 7.18** The use of ultra-low emission vehicles, such as electric, plug-in hybrid and hydrogen powered cars and vans, will help to cut greenhouse gas emissions and air pollution on the district's roads. The government is supporting the greater use of these vehicles through, for example, the Office for Low Emission Vehicles (OLEV) and the Plugged-in-Places programme, and it is expected that usage will increase significantly over the life of the Local Plan. To help realise this ambition, the government intend to set out a framework for the development of a recharging network for electric and plug-in hybrid vehicles. In order to encourage the wider use of these ultra-low emission vehicles locally, the council will support the provision of vehicle charging points as part of development proposals. The satisfactory location and design of such infrastructure will be an important consideration.

### Car clubs and car share parking spaces

- 7.19** Car clubs involve the provision of cars parked in reserved spaces in accessible locations for the use of club members who book to use a car for a particular period of time. Such schemes have been operating in several cities across the UK for a number of years. City Car Club offer such a service in both Leeds and York. The development of car clubs in the district's larger settlements, in particular Harrogate, is a possible sustainable transport measure that could be investigated further. If car clubs are set up it will be important that reserved parking spaces are provided in locations that encourage people to join the clubs.
- 7.20** Car share schemes contribute to reducing congestion and emissions from transport by encouraging people who make similar journeys in separate cars to travel together in a single vehicle. The availability and convenient siting of parking spaces designated for use only by car share users is an important incentive that encourages people to join the schemes. As a result, the council encourages the provision of car share only parking spaces where these do not have a substantial negative effect on the overall provision of parking. In assessing proposals it will be recognised that the use of car share schemes will lower the demand for the remaining parking spaces.

### Park and ride

- 7.21** The local transport authority, North Yorkshire County Council, has not identified a need to protect any site for a park and ride scheme during the period covered by the Local Plan. However, they have indicated that should proposals for park and ride come forward as part of other development proposals they will be considered on their merits. Opportunities for park and rail will be supported where they meet the requirement of other relevant Local Plan policies.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

#### Further guidance for applicants

- [North Yorkshire Local Transport Plan](#)
- The North Yorkshire County Council Parking Strategy
- North Yorkshire Interim Guidance on Transport Issues (2015)

#### Evidence that may be required from applicants to accompany a planning application

- Travel Plan
- Transport Assessment

## TI4: Delivery of New Infrastructure

### Draft Policy TI 4

#### TI4: Delivery of New Infrastructure

In order to deliver sustainable development, the council will work with infrastructure and service providers and developers to deliver infrastructure and services to support existing and future development across the district.

Depending on the nature and scale of development proposed, and subject to viability, developers will be expected to make reasonable on-site provision, off-site provision and/or contributions towards infrastructure and services in order to cater for the needs generated by development.

Proposals involving the delivery of new or improved infrastructure or services, either on its own or in combination with other development, will be supported provided that:

- it can be demonstrated that they are necessary to support new development and/or to rectify existing evidenced deficiencies in infrastructure or service provision;
- development is phased so as to cause minimal disruption to existing infrastructure and service provision for residents and businesses;
- where associated with other development, the infrastructure and services required to support the development are provided in advance of the development's completion and occupation;
- the development complies with the provisions of Policies GS6 and HP3.

## Justification

- 7.22** The Local Plan seeks to deliver the infrastructure necessary to support the council's strategy for growth, making the most of opportunities to improve green infrastructure, exploit opportunities for the use of sustainable transport modes and increase the vitality and viability of the district's main urban areas. New development should be fully integrated with existing settlements and deliver adequate infrastructure and services



to support itself. Where new development generates a need for new physical or social infrastructure, it is reasonable to expect the developer to provide, or contribute towards, these facilities so as not to place an undue burden on existing infrastructure. Examples of the types of infrastructure and services that will commonly be required to support development in the district are;

- highway and transport infrastructure, including public transport improvements, walking and cycling facilities;
- water supply, sewerage and waste water treatment facilities;
- waste disposal and recycling facilities;
- flood protection measures including sustainable drainage systems;
- gas and electricity supply;
- communications infrastructure, including telecommunications and high speed broadband;
- health care services and facilities;
- schools and other services and facilities for children and young adults;
- community facilities;
- facilities for disabled people;
- community safety and crime prevention measures;
- public open space, sports and recreation facilities;
- appropriate hard and soft landscape infrastructure;
- habitat creation;

This should not be seen as a definitive list. The requirements for each development will vary considerably and should be determined in consultation with infrastructure and service providers, and the local community.

**7.23** The second part of the policy seeks to ensure that new infrastructure and services are necessary, delivered either in advance or alongside the development they are intended to support, cause minimal disruption to existing services, and are appropriately located and designed. The council has commissioned consultants to prepare a Infrastructure Capacity Study to identify the infrastructure and services required to support the level of planned growth in the district, prepared in consultation with infrastructure and service providers. The purpose of this document is to:

- Assess the existing quality and capacity of the district's infrastructure;
- Inform the council's selection of a preferred development strategy for the district;
- Determine what infrastructure is required to support the council's selected growth strategy and preferred development allocations - setting this information out in a delivery plan;
- Identify the priorities for investment and the bodies responsible for delivering the infrastructure required; and
- Provide the evidence needed to support funding bids for identified infrastructure projects.

**7.24** The Infrastructure Capacity Study, including the associated delivery plan, can be viewed [at](#). The council will review this document on a regular basis to ensure that it provides the most up-to-date picture of the infrastructure needs of the district and to monitor progress in the delivery of infrastructure. Should issues arise with the delivery of strategic infrastructure required to enable growth, the council will seek to work actively with developers and infrastructure providers to resolve the issue.

**7.25** Planning obligations can be required by a local planning authority in order to make an otherwise unacceptable development proposal acceptable in planning terms, where the use of planning conditions would not suffice. Planning obligations are private

agreements negotiated with the developer or landowner (S106 Agreements), or can alternatively be secured through a unilateral undertaking by the developer or landowner. Planning obligations are required to offset the direct physical, social or environmental impacts of development and/or to ensure that the essential needs of new residents/workers resulting from development are catered for.

- 7.26** The 2010 Community Infrastructure Levy (CIL) Regulations placed into law the tests that planning obligations are:
- necessary to make the development acceptable in planning terms
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 7.27** The council will expect developers to provide for and/or contribute towards the provision of community and other infrastructure needs generated directly by their development where this is necessary to make a scheme acceptable in planning terms.
- 7.28** The council recognises that on some sites there may be particular site specific circumstances that reduce the economic viability of development. In line with the statutory test, planning obligations towards infrastructure provision will only be sought by the council in order to make a development acceptable in planning terms, and without such provision a development could therefore be deemed unacceptable. In such cases the applicant must provide evidence to demonstrate that the viability of development would be jeopardised by the imposition of a planning obligation, and a robust planning case as to why the development should be permitted even with a reduction in, or absence of, the infrastructure sought by the obligation.
- 7.29** The 2010 CIL Regulations allow local planning authorities to introduce a tariff based approach to funding infrastructure. Under a Community Infrastructure Levy (CIL) charges will be applicable to most forms of development, not just housing, with the level of the charge dependent on the scale and type of development. The CIL differs from planning obligations in that it widens the net for attracting contributions towards infrastructure provision and breaks the direct link between a development and the infrastructure provided. This allows authorities to pool funds and manage their investment in infrastructure strategically, funding a wide range of local and sub regional infrastructure priorities identified through the infrastructure planning process. The CIL is not intended to replace mainstream funding programmes for infrastructure but simply to augment available funds to ensure the timely delivery of necessary works. The CIL will provide more certainty to developers, allowing them to calculate the likely charge early in the development process.
- 7.30** The council is preparing a CIL for the district alongside the emerging Local Plan and is consulting on a Preliminary Draft Charging Schedule, the first stage in this process, at the same time as this draft plan. The Preliminary Draft Charging Schedule is available to view [at](#).
- 7.31** Prior to the implementation of a CIL charging schedule, the council will continue to use planning obligations, where appropriate, to ensure that developments are adequately supported by infrastructure and services. The council will also continue to operate commuted sums policies with regards to the provision of open space and village halls in connection with new residential development. Once the CIL is in place, the council will continue to make use of development specific planning obligations to enable the direct local consequences of a development to be mitigated where this is considered necessary and appropriate. In all cases, the restrictions introduced on the use of planning obligations by the Community Infrastructure Levy Regulations 2010 (as amended) will be adhered to (specifically regulations 122 and 123).

**Further Information****Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS6: Sustainable Development
- Policy HP3: Local Distinctiveness
- Policy HP7: New Sports, Open Space and Recreation Development
- Policy NE5: Green Infrastructure
- Policy NE7: Trees and Woodland

**Further guidance for applicants**

- Draft Provision for Open Space in Connection with New Housing Development SPD (2016)
- Provision for Village Halls in Connection with New Housing Development SPD (2015)
- Harrogate District Infrastructure Capacity Study - Stage 2 (2016)
- Guidance on developer contributions to Education Facilities (2016)

**Evidence that may be required from applicants to accompany a planning application**

- Pre-application consultation with infrastructure and service providers
- Economic Viability Assessment

**TI5: Telecommunications****Draft Policy TI 5****TI5: Telecommunications**

The expansion of communications infrastructure including Next Generation broadband and mobile connectivity will be supported. This will be achieved by:

- A. Supporting the expansion of communications networks which use existing infrastructure, including masts and structures;
- B. Supporting the provision of new communications infrastructure where it can be demonstrated that using existing infrastructure or equipment would not be feasible and provided the proposal does not have a significant adverse impact on the character or appearance of the surrounding area. Where apparatus or associated infrastructure is proposed to be located on a building, the proposal will be supported provided the siting scale and design of the apparatus or associated infrastructure does not have a significant adverse impact on the external appearance of the building.
- C. Ensuring the location and design of proposals avoid harm to sensitive areas or buildings/structures and accord with local plan policies HP2: Heritage Assets, NE3: Protecting the Natural Environment and NE4: Landscape Character.

Broadband access in new developments:

- D. New employment and housing development proposals will be required to demonstrate the anticipated connectivity requirements of the proposed use and how the development will contribute to, and be compatible with, Next Generation Access broadband.

- E. All new development will be required to enable a Next Generation Access broadband connection where viable. Where it can be demonstrated that the provision of a Next Generation Access broadband connection is not viable, proposals should provide a minimum download connection of 10Mbps and incorporate suitable infrastructure to support delivery of Next Generation Access broadband at a future date.
- F. Applicants proposing major development schemes should engage with communication providers and local broadband groups to explore how Next Generation Access broadband can be provided and how the development may contribute to and integrate with active broadband projects within the local area.

## Justification

- 7.32** The NPPF emphasises that advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services. The expansion of telecommunication infrastructure across the Harrogate district will be supported, particularly in areas where mobile and broadband connectivity is poor or non-existent.

## Mobile telephony

- 7.33** There is likely to be a need to establish new mobile telecommunications infrastructure within Harrogate district and this policy seeks to ensure that new infrastructure makes use of existing sites and structures wherever possible. Any applications for new telecommunications infrastructure will be expected to demonstrate the need for their location if this is not the case.

## Broadband access

- 7.34** Access to broadband is a vital component of infrastructure in today's world. It is key to growing a sustainable local economy, vital for education and home working and increasingly central part of community cohesions and resilience, particularly in rural areas. Broadband connectivity across the plan area varies considerably. Government initiatives aim to enable everybody in the UK to access broadband speeds of at least 2 megabits per second and 95% of the UK to receive far greater speeds (at least 24 Mbps) by 2017. In addition the European Commission, through the Digital Agenda for Europe, anticipates 100% coverage of 30Mbps broadband or more by 2020<sup>(10)</sup> and that over 50% of households will have a subscription to broadband connection in excess of 100Mbps.
- 7.35** Occupiers of new residential or commercial premises now often expect a high quality broadband connection as a utility similar to the provision of electricity or water. Applicants are required to actively demonstrate that they have considered broadband within their proposals and the digital requirements of the development and the resulting level of connectivity.
- 7.36** This policy indicates that all development will enable Next Generation Access broadband where viable. The definition of Next Generation Access used within this policy is defined as a broadband service that provides a download speed in excess of 30Mbps as detailed in the Digital Agenda for Europe.

10 <https://ec.europa.eu/digital-agenda/en/broadband-strategy-policy>

- 7.37** Where it can be demonstrated that Next Generation Access broadband is not viable the development should provide a minimum download speed of 10Mbps and incorporate measures to facilitate future delivery of Next Generation Access broadband within their plans i.e laying ducting capable of carrying fibre cables from multiple providers.
- 7.38** Where a proposal would be classed as major development applicants should engage with communication providers and local broadband projects as appropriate to identify where the development may contribute and integrate with existing initiatives.
- 7.39** Agreement in February 2016 between the Department for Culture, Media and Sport, the House Builders Federation and Openreach have outlined a process for the delivery of Next Generation Access broadband on new residential development which should be considered.
- 7.40** Access to free public WiFi supports the vitality of town and village centres for residents, visitors and businesses. Opportunities to add to the visitor experience by extending existing or creating new public WiFi networks will be supported provided the infrastructure meets the requirements of this policy.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

#### Further guidance for applicants

- <https://ec.europa.eu/digital-agenda/en/broadband-strategy-policy>

#### Evidence that may be required from applicants to accompany a planning application

- Justification for not locating new telecommunications infrastructure existing sites or structures.

## Safeguarding of Minerals and Waste Infrastructure

- 7.41** North Yorkshire County Council is responsible for minerals and waste planning within Harrogate District. Working with City of York Council and the North York Moors National Park they are jointly preparing a new Minerals and Waste Local Plan. Once adopted the policies map will indicate safeguarded areas for minerals resources, minerals transport infrastructure and ancillary infrastructure and waste infrastructure. Safeguarding of minerals resources together with minerals and waste infrastructure is necessary to ensure such resources are not sterilised. The purpose of safeguarding is not to prevent other forms of development but to ensure that the presence of the resource or infrastructure is taking into account when other development proposals are being considered.
- 7.42** A number of safeguarded areas are identified in Harrogate district on the emerging North Yorkshire Minerals and Waste Local Plan policies map. Where non-exempt development is proposed in safeguarded areas, consultation will take place with North Yorkshire County Council before permission is granted.

## Climate Change

## 8 Climate Change

### Climate Change Key Facts

- The district contains 43 river water bodies totally 907.23 km in length

STILL TO BE FINALISED

### CC1: Flood Risk and Sustainable Development

#### Draft Policy CC 1

#### CC1: Flood Risk and Sustainable Drainage

Development proposals will not be permitted where they would have an adverse effect on watercourses or increase the risk of flooding elsewhere.

Development will only be permitted where it has an acceptably low risk of being affected by flooding when assessed through Sequential Testing against the most up-to-date Environment Agency flood risk maps and the North West Yorkshire Strategic Flood Risk Assessment maps. Development layout within the site should be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site.

Proposals within flood zone 3a(i) will be assessed in accordance with national policies relating to flood zone 3a but with all of the following additional restrictions:

- A. no new highly vulnerable or more vulnerable uses will be permitted;
- B. less vulnerable uses may only be permitted provided that the sequential test has been passed and;
- C. where extensions are linked operationally to an existing business or, where redevelopment of a site provides buildings with the same or a smaller footprint;
- D. all proposals will be expected to include flood mitigation measures to be identified through a site specific Flood Risk Assessment including consideration of the creation of additional sustainable flood storage areas;
- E. development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role.

Where required by national guidance, proposals for development should be accompanied by a site-specific Flood Risk Assessment (FRA). The FRA should demonstrate that the development will be safe, including access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

All development will be required to ensure that there is no increase in surface water flow rate run off. Priority should be given to incorporating Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance.

Proposals involving building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on

flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.

In partnership with the Environment Agency and the lead local flood authority, the council will seek opportunities from new development to reduce the causes and impacts of flooding. Development should ensure that land which is needed for flood risk management purposes (as identified in Defra's Programme of flood and coastal risk management schemes and other Environment Agency or lead flood authority documents) is safeguarded.

## Justification

- 8.1** Flooding is a natural process influenced by natural elements such as rainfall, geology, topography and man made interventions such as flood defences, roads, buildings, farming methods and other infrastructure. The National Planning Policy Framework (NPPF) seeks to avoid the risk of flooding where possible. Where it is not possible, development should be directed to areas with the lowest level of flood risk using the sequential test. Having exhausted all opportunities to direct development away from areas of flood risk, the vulnerability of the proposed use must be considered along with possible mitigation measures using the exception test. This approach is known as the risk based sequential approach.
- 8.2** With regard to flooding from rivers, the NPPF categorises zones of flood risk (1,2,3a and 3b) and states that the overall aim should be to steer new development to flood zone 1 (low risk). The Environment Agency defines flood zones on the basis of their annual probability of flooding without the presence of any defences. The advice within the NPPF explains in detail how these zones are classified.
- 8.3** The advice within the NPPF makes clear that planning applications for development proposals of 1 hectare or greater located in Flood Zone 1, and all proposals for new development in Flood Zones 2 and 3, should be accompanied by an FRA. The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include an assessment of groundwater or fluvial flooding and seek a betterment in the runoff and thereby flood risk; thereby reducing the risk of flooding downstream. A FRA will also be required where the proposed development or change of use to a more vulnerable class may be subject to other sources of flooding (see guidance within the NPPF), or where the Environment Agency, Internal Drainage Board and/or other bodies have indicated that there may be drainage problems.
- 8.4** Proposals for development that require a FRA will need to submit the assessment before the application can be validated.
- 8.5** The risk of flooding from rivers, surface water, sewers, groundwater, canals and reservoirs within the district has been explored within the Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA). The SFRA provides more detailed flood risk information including identifying which parts of flood zone 3 are within the functional floodplain (flood zone 3b) and information on the effects of climate change and data on depth and hazard of flooding.



- 8.6** The functional floodplain does not reflect the fact that some land within these areas will already contain buildings and therefore cannot perform a functional floodplain role. Such areas have therefore been excluded from the functional floodplain but have been identified in the Harrogate District SFRA as flood zone 3a(i) to highlight the higher risk than flood zone 3a. The following flood zones therefore apply in the Harrogate district:
- Flood Zone 1
  - Flood Zone 2
  - Flood Zone 3a
  - Flood Zone 3a(i)
  - Flood Zone 3b
- 8.7** Proposals within flood zone 3a(i) will be assessed using criteria in national policy for flood zone 3a but with additional restrictions to reflect the higher risk. The probability of flooding in flood zone 3a(i) remains the same as the functional floodplain (flood zone 3b) therefore highly vulnerable or more vulnerable developments would not be appropriate within this zone. In certain circumstances less vulnerable development proposals could be justified, subject to a sequential test, such as proposals for an operationally linked extension to an established business or redevelopment with the same or smaller footprint.
- 8.8** Where possible, proposals for redevelopment in these areas should reduce the built form in these areas and if possible create additional water storage areas. Flood attenuation measures will be required for all schemes in flood zone 3a(i) and areas shown to be acting as functional floodplain by a site specific flood risk assessment should be retained as undeveloped areas.
- 8.9** The promotion of sustainable water management practises is vital. Sustainable Drainage Systems (SuDS) to manage water flow can be important in minimising flood risk, but they also help to create high quality environments that encourage biodiversity through enhancements to wildlife, and benefit water resources. The effective use of permeable surfaces, soakaways and water storage areas should be incorporated in all new development where possible. Developers will be encouraged to enter into early discussions with the council to identify which type of SuDS are most appropriate to local site conditions to deliver multiple benefits. This should include reference to the latest guidance/code of practice on SuDS. The Construction Industry Research and Information Association (CIRIA) have published guidance at [http://www.ciria.org/Resources/Free\\_publications/SUDS\\_manual\\_C753.aspx](http://www.ciria.org/Resources/Free_publications/SUDS_manual_C753.aspx)
- 8.10** Green Infrastructure, such as permeable surfaces, basins, swales, ponds, open spaces and trees etc., can be used to reduce flood risk and surface water run-off. By incorporating green infrastructure into sustainable drainage systems it can help to reduce peak flows. The integration of green infrastructure proposals should be considered during the design stage of proposals for development.
- 8.11** National planning policy in respect of sustainable drainage is set out within the NPPF and a Written Ministerial Statement dated December 2014. National policy states that for major applications, sustainable drainage systems for the management of surface water run-off should be put in place unless demonstrated to be inappropriate. Sustainable drainage systems are a material planning consideration and, as such, new drainage systems will require approval by the local authority with comments also sought on all major applications from the lead flood authority, North Yorkshire County Council. National Planning Practice Guidance (NPPG) advises on how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process. The Department for Environment, Food and Rural Affairs (Defra) has produced a set of non-statutory technical standards for the design,

maintenance and operation of sustainable drainage systems. There is an expectation that robust and sustainable arrangements for the maintenance of sustainable drainage systems will be put in place. Applicants will be required to submit sufficient information, both in respect of the design of systems and their future maintenance to enable the local planning authority to discharge its duties.

- 8.12** Applicants intending to lodge a **major** application with the council are strongly advised to review Harrogate Borough Council supporting drainage information criteria chart and the lead local flood authority [guidance notes](#). Applicants submitting **minor** development applications are also advised to review Harrogate Borough Council supporting drainage information criteria chart.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

#### Further guidance for applicants

- Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA)
- Construction Industry Research and Information Association - SuDS guidance
- Defra - non-statutory technical standards
- Environment Agency Flood Risk Maps (updated regularly)

#### Evidence that may be required from applicants to accompany a planning application

- Flood Risk Assessment
- SuDS - information on the design proportionate to the application type

## CC2: Rivers

### Draft Policy CC 2

#### CC2: Rivers

All new development should have regard to the actions and objectives of appropriate River Basin Management Plans and the Water Directive Framework in striving to protect and improve the quality of water bodies and ecological systems in and adjacent to the district. Proposals which fail to take opportunities to restore and improve rivers will be refused unless the absence of such works can be justified. If works can't be done on site then arrangements should be entered into to secure improvements off site, subject to viability.

Development proposals adjacent to watercourses should address the following;

- A. Provide a minimum of 8m buffer zones measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. This should remain/be designed to be intrinsically dark with lux levels of 0-2 and should not contain any structures.
- B. Provide a 5m buffer zone for ponds would also help to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.

## Justification

- 8.13** [The European Water Framework Directive](#) became part of UK law in 2003 with the primary objectives of achieving good ecological status in water bodies, and providing protection for drinking water sources and protected sites (Habitats Directive Sites and Sites of Specific Scientific Interest). These requirements are reflected in the Environment Agency's River Basin Management Plans with the Humber River Basin Management Plan covering the Harrogate district.
- 8.14** Development proposals, particularly those next to watercourses, should help wherever possible to achieve and deliver the Water Framework Directive objectives. Examples of the types of improvement that we may expect developers to make are: removal of obstructions (e.g. weirs), de-culverting, regrading banks to a more natural profile, improving in-channel habitat, reduce levels of shade e.g. tree trimming to allow aquatic vegetation to establish.
- 8.15** 'Buffer zones' should be provided adjacent to main rivers to provide effective and valuable river corridors and improve habitat connectivity. This 8m buffer zone should be maintained as an undeveloped, naturalised buffer adjacent to main rivers and not include any structures such as fencing or footpaths which could increase flood risk. Any works or structures that applicants intend within 8m of a main river will require a flood defence consent from the Environment Agency, which is separate from and in addition to any planning permission granted.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy CC1: Flood Risk and Sustainable Drainage
- Policy NE2: Water Quality

#### Further guidance for applicants

- Humber River Basin Management Plan
- European Water Framework Directive

#### Evidence that may be required from applicants to accompany a planning application

## CC3: Renewable Energy

### Draft Policy CC 3

#### CC3: Renewable Energy

Permission will be granted for renewable energy projects provided the proposal does not have an unacceptable adverse impact on the landscape, natural environments, cultural, historic <sup>(11)</sup> and archaeological environment and that appropriate mitigation measures would be taken to minimise the impact on adjoining land uses and residential amenity.

11 including Listed Buildings

Renewable and low energy development in the Green Belt will only be allowed in very special circumstances.

## Justification

- 8.16** Renewable energy technologies produce energy from natural resources that will not run out. The most common of these are: energy from wind (wind turbines); energy from the sun (solar panels); and energy from water (hydro-electricity).
- 8.17** In recent years, the generation of energy from renewable and low carbon sources has had an increasingly high profile. This is due to a greater appreciation of the issues surrounding climate change, a reduction in the price of renewable and low carbon technologies, improvements in the efficiency and availability of technologies, rising energy prices, and various financial incentives to encourage further uptake.
- 8.18** Paragraph 97 of the NPPF requires Local Planning Authorities to recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources and to maximise renewable and low energy development while ensuring that adverse impacts are addressed satisfactorily. The [Harrogate District Climate Change Strategy](#) (2009) sets out how the council aims to reduce carbon emissions, both from its own operations and across the district. Its ultimate aim is to make a 40% reduction in CO2 emissions from the council's own operations by 2020 and an 80% reduction by 2050; and to help make a 40% reduction in CO2 emissions across the district as a whole by 2020 and an 80% reduction by 2050.
- 8.19** The council commissioned consultants AECOM to produce the [Harrogate District Planning and Climate Change Study](#) (2011), which forms part of the evidence base and sets out the opportunities for renewable energy development across the district. The [Renewable and Low Carbon Energy Supplementary Planning Document](#) was approved in February 2015. The main findings of the study were that there is significant potential for renewable and low carbon energy within the Harrogate district but it recognises that there are also constraints that need to be taken into consideration. These constraints largely relate to the exceptionally high quality of the natural and built environment of the area, but also to internationally protected sites for wildlife. However, even with these constraints, there is potential to increase renewable and low carbon energy installations.
- 8.20** Proposals for renewable and low carbon energy development will need to demonstrate that there is no adverse impact on designated and non-designated heritage assets. and the following designated heritage assets or their setting.

Further guidance can be found in the [Heritage Management Guidance Supplementary Planning Document \(SPD\)](#).

- 8.21** The council have acknowledged that solar panels are sometimes inappropriate by confirming Article 4s for properties fronting The Stray, Harrogate and those in the village of Great Ouseburn, which removes the right of owners to install solar panels. The council will continue to use its Article 4 powers where appropriate.
- 8.22** Proposals for renewable and low carbon energy development will need to demonstrate that there is no adverse impact on protected species or identified or designated area based natural assets or the features for which the sites were designated. Proposals for renewable energy outside of such sites may still impact on the sites or species for which they have been designated. An initial assessment of potential impacts can be made using Natural England's Impact Risk Zones. Zones have been identified around each SSSI to reflect the particular sensitivities of the features for which the SSSI has

been designated and to indicate types of development proposals, (including wind and solar energy), which could potentially have adverse impacts. These zones also cover the interest features and sensitivities of the SACs and SPAs. The Impact Risk Zones can be viewed on the government's interactive mapping website [www.magic.gov.uk](http://www.magic.gov.uk).

- 8.23** Proposals for renewable energy within the AONB needs to respect the area's special character and must not harm the quality of its landscape. Many renewable energy technologies are capable of being accommodated within the Nidderdale AONB without any adverse effects.
- 8.24** Proposals for renewable energy projects in the Green Belt will be considered as inappropriate development and will only be permitted in exceptional circumstances. The onus is on the applicant to justify why the development should be allowed and demonstrate very special circumstances. The associated benefits of the production of renewable energy may be considered sufficient justification, but these should be quantifiable and evidenced.
- 8.25** There are many factors that need to be considered when assessing the suitability of renewable/low carbon energy development. Some of these will have a greater effect than others, but many can often be overcome. Sensitive siting and design of installations is vital, especially in more constrained areas. It is important to consider the feasibility of the technology and cost in terms of payback, it may be that improving the energy efficiency of buildings or processes is a better option, for example improving insulation of existing or new buildings. Despite the very special qualities of much of Harrogate district, and the subsequent constraints on development, there is still significant potential for the installation of small scale renewable/low carbon energy technologies. None of the constraints is a definite block on development, but many will require further actions by the applicant or additional information to be submitted.
- 8.26** **The Renewable and Low Carbon Energy SPD (Feb 2015)** provides guidance, advice and clarity for all parties on how to balance the needs of protecting the qualities of the district with the need to increase the uptake of renewable energy technologies. It provides advice on each technology individually including how to minimise any potential harmful effects and whether planning permission is required or not. It also provides local case studies that have already been installed and the lessons that have been learnt from them.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS6: Sustainable Development
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP4: Protecting Amenity
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

#### Further guidance for applicants

- [Harrogate District Climate Change Strategy \(2009\)](#)
- [Heritage Management Guidance Supplementary Planning Document \(SPD\)](#)

- [Harrogate District Planning and Climate Change Study](#) (2011)
- [Renewable and Low Carbon Energy Supplementary Planning Document](#)

**Evidence that may be required from applicants to accompany a planning application**

- Heritage statement
- Biodiversity risk assessment

**CC4: Sustainable Design**

**Draft Policy CC 4**

**CC4: Sustainable Design**

All development proposals should be designed to be resilient to and adapt to the future impacts of climate change through the inclusion of sustainable design features where this is technically feasible and viable.

New non-domestic developments, excluding conversions and extensions of less than 500 sq m, will be required to achieve a minimum standard of BREEAM 'Very Good' (or any future national equivalent). Developers will be expected to provide certification evidence of the BREEAM level achieved at the design stage and post construction stage on completion of development.

**Justification**

- 8.27** The National Planning Policy Framework (NPPF) states that new housing development should help to meet the needs of present and future generations and help to use natural resources prudently. The framework's policies expect local planning authorities to adopt proactive strategies to adapt to climate change, including increasing resilience to climate change impact through the design of development.
- 8.28** Following a Housing Standards Review (2014), the government withdrew the Code for Sustainable Homes and confirmed that local authorities would no longer be able to set efficiency standards in respect of water and energy efficiency for new residential developments beyond mandatory standards incorporated into Building Regulations.
- 8.29** Local authorities can seek compliance (through inclusion of a relevant policy in a local plan) with higher optional technical standards (set nationally) where there is local evidence that higher standards are needed and their application would not impact on development viability.
- 8.30** The Yorkshire area is not identified by the Environment Agency, under the [Water Stressed Area](#) classification, as being an area under 'water stress' and, therefore, seeking compliance with the higher technical water efficiency standard cannot be justified at this time.
- 8.31** In late 2016, national mandatory requirements through Building Regulations for energy efficiency in new dwellings will come into effect. Whilst the council cannot include requirements relating to energy performance in new dwellings it can seek to secure sustainable design features to maximise resilience and adaption to climate change.

All proposals for new development should be designed to minimise energy consumption through landform, landscaping, as well as layout, design, orientation, massing and materials.

- 8.32** The Building Research Establishment Environmental Assessment Method (BREEAM) is an accredited, independent method for assessing and rating the environmental performance of non-domestic development. A scoring system is used to evaluate a building's sustainability including aspects related to energy and water use, the internal environment (health and well-being), pollution, transport, materials, waste, ecology and management processes.
- 8.33** The council will require all new non-domestic developments to be assessed against the BREEAM standard and achieve, at a minimum, the level of 'Very Good'. The council will require this to be verified by an independent assessor at the applicant or developer's cost. Conversion and extensions of less than 500m will be excluded from the provision of this policy.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)

##### **Further guidance for applicants**

- Housing - Optional Higher Technical Standards  
<http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/>
- Information on BREEAM <http://www.breeam.com/index.jsp>

##### **Evidence that may be required from applicants to accompany a planning application**

- BREEAM certification at design stage and on completion of the development

## Heritage and Placemaking



## 9 Heritage and Placemaking

### Heritage and Placemaking Key Facts

- Fountains Abbey and Studley Royal is designated as a World Heritage Site.
- The district contains 53 Conservation Areas, 2268 Listed Buildings, 12 Historic Parks and Gardens, 3 Registered Historic Battlefields and 169 Scheduled Ancient Monuments as well as numerous non-designated heritage assets.

STILL TO BE FINALISED

### HP1: Harrogate Town Centre Improvements

#### Draft Policy HP 1

#### HP1: Harrogate Town Centre Improvements

The vitality and viability of Harrogate town centre as the district's largest retail, leisure and tourist destination, and a major conference and exhibition venue, will be enhanced through the:

- A. realisation of development opportunities in the town centre, including the:
  - construction of a modern transport hub on Station Parade, as part of a wider mixed use development incorporating high quality office space, retail and residential uses
  - mixed use development of land off Dragon Road
- B. continual improvement and development of facilities at the Harrogate International Centre, Royal Hall and other key visitor attractions
- C. improvement of the town centre's public realm and environment
- D. creation of flexible spaces for recreation and events
- E. management of the evening and night-time economy
- F. management of on and off street parking
- G. improvement of routes and facilities for pedestrians and cyclists

### Justification

- 9.1** Harrogate town centre plays a pivotal role in driving the local economy. It is the district's largest retail, leisure, business and tourist destination, a major conference and exhibition venue, and an important source of local employment. Town centres around the country are facing a number of challenges such as the growth of online shopping, pressure from out of centre retailing and supermarkets, and reduced town centre footfall. The NPPF identifies 'promoting the vitality and viability of our main urban areas' as a core land use planning principle and provides that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. This includes recognising town centres as the heart of their communities and pursuing policies that support their vitality. NPPG goes on to say that local planning authorities should plan positively to support town

centres to generate local employment, promote beneficial competition within and between centres and create attractive, diverse places where people want to live, visit and work.

**9.2** The purpose of this policy is to provide a framework for the implementation of a number of town centre improvements in Harrogate town centre. Proposals for the improvement of Knaresborough town and Ripon city centres will be dealt with through their respective neighbourhood plans.

**9.3** The council adopted the Harrogate Town Centre Strategy and Masterplan (HTCSM) as a Supplementary Planning Document (SPD) in May 2016. The HTCSM sets out the council's vision for the development of Harrogate town centre in the period to 2025, seeks to deliver town centre improvements, attract inward investment and inform development management decisions within the town centre. The purpose of the strategy and masterplan is to provide a co-ordinated approach to the centres development that will ensure that the future development of the town centre enables it to compete effectively with other destinations and delivers the borough council's wider objectives for the improvement of the environment and the local economy. A Baseline Report was prepared to inform the preparation of the HTCSM that provides information on the current strengths and weaknesses of the town centre, and where there are opportunities to enhance its offer and develop the centre in a sustainable way.

**9.4** The Baseline Report to the HTCSM found that Harrogate has a strong core of loyal customers, a good stock of hotel beds, a national role in terms of business tourism, a good events programme and a distinctive mix of operators. However, it also identified opportunities to diversify the hotel stock, provide a family visitor attraction within the town centre, create outdoor spaces for events, and for additional commercial leisure facilities.

**9.5** The HTCSM sets out the following vision for Harrogate town centre:

'By 2025 Harrogate town centre will be a leading UK destination for culture, shopping, leisure and business tourism. The unique qualities of the town centre will be enhanced to provide a distinctive visitor offer that differentiates Harrogate from its regional and national competitors. This distinctiveness will be characterised by an exceptional town centre environment, the key components of which will be:

- public realm of an outstanding quality;
- a special blend of retail, leisure and cultural uses;
- unique facilities for conferences and events; and
- integrated and sustainable transport infrastructure.

The realisation of this vision will ensure that important economic benefits are delivered for local residents and businesses, and that opportunities for the sustainable development of the town centre are fully exploited.'

**9.6** Harrogate Retail Study (2013) shows that Harrogate town centre currently performs strongly as a shopping destination with an estimated turnover of £300 million per annum. The centre has improved its position in national retail rankings over the last ten years, despite the negative effects of the economic recession. This is partly due to the strength and quality of its independent retail offer and its ongoing ability to attract premium comparison retailers. Tourism and leisure clearly play an important role in the economic performance of the town centre and the wider area. The Harrogate Retail Study recommends that the council work towards a requirement for approximately 6,200 square metres of net additional comparison retail floorspace over the period to 2026 (8,900 square metres gross). Around half of this requirement, up to 4,500 square metres gross comparison retail floorspace, is expected up to be delivered as part of

the transport hub development on Station Parade. In addition, an element of comparison retail floorspace could also come forward as part of a mixed use development on land off Dragon Road. The remainder of the comparison retail requirement over the local plan is expected to come forward through developments in Ripon (to the east of the market place) and Knaresborough (as part of the development of the cattle market site) and through windfall development elsewhere.

- 9.7** In terms of the need for new floorspace in the convenience goods retail sector, the Harrogate Retail Study identified a negative requirement over the period to 2026 due to the the estimated turnover from existing commitments. The report did however recommend that the council monitor the implementation of these extant planning permissions as non-implementation could release significant additional expenditure capacity. The council intends to update the Harrogate Retail Study at the beginning of 2017 to account for changes in population estimates, expenditure assumptions, retail trends, developments and commitments since the original study was undertaken.
- 9.8** Harrogate's railway station and adjoining facilities, including the town centre's bus station, have long been identified by the council as an area for improvement. A development brief was developed for the site in 2005 but the subsequent downturn in the economy, and in particular the fortunes of the retail industry and the market for flatted residential developments, has seen this proposal stall. The current buildings and infrastructure detract from the overall quality of the town centre environment and provide a poor gateway for visitors. The comprehensive redevelopment of the site is complicated by various land ownerships and the need to maintain flexibility over the future operation of the railway line and its capacity. However, various recent developments suggest that the comprehensive redevelopment of the site may now be a more viable prospect and could be delivered in the plan period. These developments include the proposed electrification of the Leeds to York railway line and renewed developer interest in parts of the site. The HTCSM sets out a number of key principles for the future development of this area. These principles should help to deliver a high quality transport interchange that provides an appropriate welcome to Harrogate for visitors, promotes the use of sustainable modes of transport, and improves the appearance of this part of the town centre. A site-specific masterplan/development brief will be prepared in due course to support the comprehensive development of the site.
- 9.9** Town centre office accommodation is under threat from recent permitted development changes allowing its conversion to residential use without planning permission. The recently refurbished Exchange building on Station Parade provides some of the highest quality office accommodation in Harrogate town centre. It is the council's aspiration to create further complimentary high quality office space in this location as part of the wider redevelopment of the Station Parade area, linked to the improvements in rail facilities and services.
- 9.10** To the north of Dragon Road, on the periphery of the town centre, is located the HIC vehicle holding area which also acts an occasional public car park. This is adjoined by small warehouses that have been converted to retail uses and which front Dragon Road. Subject to the relocation or incorporation (in whole or in part) of the HIC holding area, the site is suitable for redevelopment for a range of potential uses, including new residential accommodation, offices and small-scale retail and leisure uses.
- 9.11** There are opportunities at the HIC to improve servicing arrangements, make better use of some of its exhibition halls and improve links with hotel facilities to the north. Hall Q at the HIC provides a large and flexible, but underutilised, space with it own independent entrance facilities. The HTCSM proposes that this space is utilised to accommodate a new family visitor attraction, potentially based on local historical themes such as the town's spa heritage or connections with the tea trade. This would help to

diversify the town centre's visitor offer and promote historical associations that are currently understated. In addition, it is proposed that the exhibition hall to the north of the Royal Hall be removed to enable vehicles servicing the conference centre to move in a one-way direction between Kings Road and Ripon Road. This will increase the capacity of the service area to the rear of the HIC, improving its operational efficiency. It will also provide opportunities to improve the setting and facilities of the Royal Hall and create new and improved links with hotels to the north of the conference centre. Significant work has already been undertaken in recent years to restore the interior of the Grade II\* listed Royal Hall on Ripon Road. The Royal Hall Restoration Trust is now developing proposals to improve the setting and facilities of the Royal Hall and the adjacent HIC. These plans include new catering facilities and a new landscaped area - including a potential winter garden - to the north and east of the hall to restore the building's original garden setting.

- 9.12** The high quality of the town centres environment is one of its key strengths and is central to its success as a visitor destination. The environment of Harrogate town centre is characterised by attractive historic architecture of a consistent style, an established historic urban grain with interesting streets, alleys and squares, and unique open spaces including parkland, formal gardens and floral displays. However, there are features of the town centre that detract from its environmental quality, including unattractive buildings around the railway station, on-street parking that visually obstructs the street scene and limits pedestrian movements, and the limited use of local or natural materials within the public realm that is so important to the setting of the town centre's fine architecture.
- 9.13** The HTCSM identifies a number of streets and spaces within the town centre where improvements to the public realm and environment would be beneficial to the towns continuing success in attracting visitors, both local and those from outside the district. The purpose of these improvements is to reinforce the visitor appeal of the centre, better integrate key destinations, and provide new opportunities to enhance the town centres leisure offer by creating flexible spaces for informal recreation and managed events. Public realm proposals should create an attractive, high quality, locally distinctive, safe, accessible and useable environment that improves legibility and enhances linkages, particularly for pedestrians and cyclists, across the town centre. The Council will look to organise a co-ordinated approach to the improvements to ensure design consistency across the town centre, that engages positively with all relevant stakeholders.
- 9.14** The management of the evening and night-time economy is important to the overall economic performance of the town centre and the positive perceptions of visitors to Harrogate. Such management extends beyond planning policy and development control to include licensing, policing and environmental health. The council intends to develop a co-ordinated strategy for the evening and night-time economy to cover all aspects of its management.
- 9.15** The NPPF provides that local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles. There is a considerable amount of on-street parking throughout the town centre with a maximum stay of three hours. Occupancy data for town centre car parks shows that they are generally well used and comfortably meet demand (except for 15 to 20 days a year). However, the three largest multi-storey car parks are often significantly below capacity and could accommodate additional demand associated with any reduction in on-street parking. A number of the public realm projects that form part of the masterplan would result in the loss of on-street car parking within the town centre. This loss of on-street parking is to the benefit of pedestrian movements and will significantly improve the appearance of some parts of the town centre. The council,

together with the county council, will review the on-street and off-street parking regime in the town to ensure the efficient use of these facilities for short-stay and long-stay car parking.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Policy GS5: Supporting the District's Economy
- Policy EC5: Town and Local Centre Management
- Policy TI3: Parking Provision
- Policy TI1: Sustainable Transport
- Policy TI4: Delivery of new Infrastructure

#### Further guidance for applicants

- Harrogate Town Centre Strategy and Masterplan (HTCSM)

#### Designations/boundaries to be shown on the policies map

- Station Parade site including high quality office quarter
- Dragon Road site
- Retail commitments

## HP2: Heritage Assets

### Draft Policy HP 2

#### HP2: Heritage Assets

Proposals for development <sup>(12)</sup> should protect and where appropriate, enhance those elements that contribute to the significance <sup>(13)</sup> of the district's heritage assets. <sup>(14)</sup>

Development proposals which would affect designated or non-designated heritage assets and their settings will be permitted where they:

- A. Demonstrate a thorough understanding of the significance of the heritage asset and its setting, how this has informed the proposed development, and how the proposal

12 development includes new buildings, landscape or engineering works, also extensions and alteration to, and demolition of heritage assets

13 definitions of the term heritage asset, archaeological interest, conservation, significance and setting are taken from the glossary of the NPPF and are set out in the Appendices to the council's Heritage Management Guidance Supplementary Planning Document (SPD)

14 Heritage assets include designated and non-designated heritage assets. Designated heritage assets include Scheduled Monuments, Registered Battlefields, Listed Buildings, Registered Parks and Gardens, Conservation Areas and World Heritage Sites designated under the relevant legislation. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets, although they may be identified as having local importance. In some instances non-designated, particularly archaeological remains, may be of equivalent significance to designated assets, despite not yet having been formally designated.

- would impact on the asset's significance. This will be proportionate to the importance of the heritage asset and the potential impact of the proposal;
- B. Ensure that any development respects the historic form, setting, fabric and any other aspects that contribute to the significance of a heritage asset;
  - C. Ensure that any development that would have an impact on the World Heritage Site, or its setting will conserve, and where appropriate enhance those elements that contribute towards its Outstanding Universal Value;
  - D. Ensure proposals affecting a conservation area would protect and, where appropriate, enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area;
  - E. Ensure proposals affecting a registered historic battlefield would not harm its historic, archaeological or landscape interest or prejudice any potential for interpretation;
  - F. Demonstrate a thorough understanding of the significance, character and setting of conservation areas and how this has informed proposals, to achieve high quality new design which is respectful of historic interest and local character;
  - G. Conserve or enhance the quality, distinctiveness and character of heritage assets by ensuring development is of high quality design which is respectful of historic interest and all features of local character, and;
  - H. Ensure development incorporates the use of appropriate materials and detailing.

Schemes that help to ensure a sustainable future for the district's heritage assets, especially those identified as being at greatest risk of loss or decay will be supported.

## Justification

- 9.16** The council's main objective is to protect and enhance the features of the historic environment that contribute to the character and quality of the district. It is recognised that the historic environment brings wide social, economic and environmental benefits to the district. Harrogate district has an exceptionally high quality environment with exceptional diversity straddling the vale of York and the Pennine fringe and development that is particular to the area, including the spa town, cathedral city, castles, abbey and roman river crossing.
- 9.17** Examples of components of the district's historic environment, which are of collective thematic or historic value unique to Harrogate district and consequently have high local significance, are:
- The attractions, accommodation and facilities relating to Harrogate's function as a spa town
  - Studley Royal Park including the Ruins of Fountains Abbey World Heritage Site, the outlying routes and bridges, and associated granges, gardens and settlements.
  - The diverse buildings and spaces associated with Ripon Cathedral.
- 9.18** The National Planning Policy Framework (NPPF) identifies the conservation and enhancement of designated and non-designated heritage assets in a manner appropriate to their significance as a material consideration in the determination of planning applications. New development should sustain and enhance the significance of heritage assets and can support these aims by creating or supporting viable uses that are consistent with an asset's conservation. There is a presumption in favour of the conservation and enhancement of all heritage assets, and any harm will need to be clearly justified. The more significant the asset, the greater the level of justification that will be required.

- 9.19** The council will seek to conserve the heritage assets of the borough for their historic significance and their important contribution to local distinctiveness, character and sense of place. The historic environment is a finite and non-renewable resource requiring careful management. It is therefore essential that development is managed to maintain our heritage assets for future generations, and to ensure that development proposals are well designed and do not detract from existing local characteristics and built form that make a positive contribution to the area.
- 9.20** In the case of archaeological sites, applicants for planning permission will need to demonstrate that any development which may impact on designated heritage assets has been sensitively located and designed, and that appropriate provision has been made for ensuring the preservation in situ and on-going management, conservation and protection of above or below ground archaeological assets.
- 9.21** If development is proposed in an area believed to contain important remains, an archaeological investigation will be required. As a minimum, the Historic Environment Record (HER) should be consulted prior to the submission of a planning application to determine whether there is known archaeological interest or whether the site has the potential for assets of archaeological interest. Development proposals which may affect archaeological sites shall be informed by an appropriate desk-based assessment (and where necessary a field evaluation). This evaluation should determine whether: the remains merit preservation in-situ; whether the remains merit preservation by record; or whether no further action is necessary. The findings of this assessment will be a material consideration which informs the determination of the planning application.
- 9.22** Where the local planning authority is satisfied that the preservation in situ of archaeological remains is not possible or desirable, the applicant will need to demonstrate that satisfactory provision has been made for a programme of archaeological investigation, excavation and recording before, or during, development and for the subsequent publication of any findings, where appropriate.
- 9.23** Where development may affect any heritage asset type, applicants will be required to demonstrate a full understanding of its significance and will be expected to address any impact that proposals may have, and ensure any harm to significance has been minimised through the design of the development. Advice on understanding the significance of heritage assets and the design of development is given in the Harrogate District Heritage Management Guidance, which is a supplementary planning document.
- 9.24** An application will not be validated where the extent of the impact upon a heritage asset cannot be fully understood. A heritage statement must be submitted with all applications affecting heritage assets or their setting. This may be included in the design and access statement if one is to be submitted. The detail included in the heritage statement should be proportionate to the significance of the heritage asset and the potential impact on the asset's significance. The heritage statement should include the following information:
- A description of the heritage asset
  - A description of the significance of the asset, including the contribution made by its setting or any particular feature affected by the proposals
  - An assessment of the impact of the proposals on the significance of the heritage asset
  - A justification for the proposed development
- 9.25** Where proposed development would lead to substantial harm to, or the total loss of, the significance of a designated heritage asset, it must be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the following apply

- The nature of the heritage asset prevents all reasonable uses of the site, and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation (see below), and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible, and
- The harm or loss is outweighed by the public benefits of bringing the site back into use.

### **Appropriate marketing**

**9.26** Applicants will be required to provide the following evidence demonstrating that reasonable attempts have been made to actively market the heritage asset for sale or lease for uses that will enable its conservation:

- Timetable of events and evidence of a minimum 12 months' consecutive marketing prior to the application being made
- Copy of the sales particulars and new guide price
- Details of the original price paid and date of purchase, or value at inheritance and date of inheritance
- Schedule of the advertising carried out, with copies of the advertisements and details of where and when the advertisements were placed, along with an estimate of the expenditure incurred from advertising
- The confirmed number of sales particulars distributed, along with a breakdown of where the enquiries resulted from, for example, from the "For Sale/To Let" board, advertisements, etc.
- Details of the number of viewings
- Resulting offers and why they were dismissed
- Details of the period when a "For Sale/To Let" board was displayed, or if not, the reasons behind the decision

**9.27** The loss of the whole, or part, of a heritage asset will not be permitted without taking reasonable steps to ensure that new development will proceed. Where it is appropriate to grant consent for the demolition of the whole or part of any heritage asset (designated or non-designated), there shall be a condition, or legal agreement, to ensure that demolition shall not take place until a contract for the carrying out of works for redevelopment has been signed and planning permission for those development works has been granted.

### **Designated Heritage Assets**

**9.28** The designations described below are discussed in greater detail in the Harrogate District Heritage Management Guidance, which also sets general principles for development of these assets.

### **World Heritage Site (WHS)**

**9.29** Studley Royal Park including the Ruins of Fountains Abbey World Heritage Site is a place of outstanding universal value, which is defined as having a cultural and natural significance so exceptional that it transcends national boundaries. Inscription of a WHS does not provide any specific statutory protection, however, the UK government is committed to their protection and conservation, and this commitment is reflected in the National Planning Policy Framework. The Statement of Outstanding Universal Value, which includes the authenticity and integrity of the WHS, can be found alongside the Fountains Abbey and Studley Royal Management Plan on the National Trust's



website XXXXX. These documents are a key material consideration and the Council will have due regard to the impact of any proposals on the Outstanding Universal Value, authenticity and integrity of the WHS.

- 9.30** Development proposals likely to have an impact on the World Heritage Site or its setting will be permitted only where it can be demonstrated that the scheme will conserve elements which contribute towards its outstanding universal value. Development that would cause substantial harm to the significance of the WHS will be allowed only in wholly exceptional circumstances.

### **WHS Buffer Zone**

- 9.31** A buffer zone was approved by the World Heritage Committee in 2012. The buffer zone is to safeguard those elements that contribute to the outstanding universal value of the Fountains Abbey and Studley Royal WHS. You can view the rationale for the Fountains Abbey and Studley Royal WHS Proposed Buffer Zone prepared by the National Trust and English Heritage on the council's website. The buffer zone does not bring any additional planning controls, but it is a material consideration in the determination of applications and appeals. The buffer zone is marked on the Policies Map.
- 9.32** World Heritage Sites are classed as Article 2.3 land in the General Permitted Development Order, which limits permitted development rights. World heritage sites are classified as "sensitive areas" for the purposes of the Environmental Impact Assessment Regulations. A landscape and visual impact Assessment may be required to accompany certain applications for development.

### **Scheduled Ancient Monuments (SAM)**

- 9.33** A scheduled ancient monument is defined by the Ancient Monuments and Archaeological Areas Act 1979 as any structure, or site of a structure, above or below ground that is considered by the Secretary of State to be of public interest by reason of its historic, architectural, traditional, artistic or archaeological importance. Ancient monuments in the Harrogate district vary from individual stones carved with cup and ring marks to area monuments such as Ripon Minster Close. Historic England maintains an up-to-date register of scheduled monuments as part of the National Heritage List for England (NHLE). The register can be found on the Historic England website at: <http://www.historicengland.org.uk/listing/the-list/> Area monuments are marked on the policies map.
- 9.34** An application must be made to Historic England for any proposed works affecting a scheduled monument. This requirement is in addition to any requirement for planning permission. All scheduled monuments, and non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance, will be given the strictest protection. Development proposals that would result in substantial harm to or total loss of significance of scheduled monuments, or any associated features contributing to their significance- including their setting, will be refused except in wholly exceptional circumstances.

### **Listed Buildings**

- 9.35** The council has a statutory duty to secure the preservation of buildings listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as being of special architectural or historic interest. Buildings and structures within the curtilage of listed buildings are also protected under the Act.

- 9.36** There are no permitted development rights for listed buildings or land in its curtilage. Most new development affecting the exterior of a listed building or within the curtilage of a listed building requires planning consent. Works affecting the interior or exterior of a listed building, curtilage building or structure, require listed building consent. The National Heritage List for England (NHLE) contains an up-to-date list and description of all nationally designated heritage assets, including listed buildings. The list is maintained by Historic England and can be found on the Historic England website at: <http://www.historicengland.org.uk/listing/the-list/>
- 9.37** Substantial harm to or total loss of significance of grade I or grade II\* listed buildings, and any associated features contributing to their significance- including their setting, will be wholly exceptional.

### **Conservation Areas**

- 9.38** Local Authorities have a duty to designate ‘areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’ as conservation areas under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Designation of a conservation area provides a clear commitment to preserve and enhance it as an area of special architectural or historic interest. It also confers control over demolition, strengthens control over minor development and protects trees.
- 9.39** There are currently 53 conservation areas in the Harrogate district, and these are shown on the policies map. In 2011 the council completed a review of conservation areas in the district. Each has an individual conservation area character appraisal that aims to define and analyse the special interest that constitutes the character and appearance of the settlement. Appraisal documents and detailed maps can be found at [www.harrogate.gov.uk/XXXXX](http://www.harrogate.gov.uk/XXXXX). Appraisals provide information and guidance to those wishing to carry out works in a conservation area and form a material consideration when determining planning applications proposing development affecting conservation areas and applications for conservation area consent.
- 9.40** Proposals for development affecting a conservation area should preserve or enhance those elements that have been identified as making a positive contribution to its character and special architectural or historic interest. These elements may include buildings, boundary features, other structures, landscape features, open spaces and the setting. Where proposals would lead to harm of conservation areas the harm will be assessed as either substantial or less than substantial based on the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.
- 9.41** The council will exercise strict control over the design of new development within and affecting the setting of conservation areas. Development proposals should conserve or enhance the character and special architectural or historic interest of the conservation area. Substantial harm to the significance of conservation areas, or any associated features contributing to their significance, will be permitted only in exceptional circumstances where the substantial public benefits of the proposal clearly and convincingly outweigh the substantial harm or loss caused.

### **Article 4 Direction**

- 9.42** Certain types of small-scale development, known as permitted development, do not require planning permission. This is set out in the Town and Country Planning (General Permitted Development) (England) Order (GDPO). In order to further control small-scale changes the GPDO enables the council, as the local planning authority, to remove permitted development rights in a conservation area through the use of an Article 4

Direction. There is currently an Article 4(1) Direction covering the centre of Harrogate to control the painting of stonework and other surfaces in the town, and an Article 4(2) Direction covering the perimeter of the Stray to control the installation of solar and photovoltaic panels on roofs visible from the Stray. In addition, there is an Article 4(2) Direction restricting numerous development rights in Great Ouseburn. Links to the Article 4s are included in the Appendices of the Heritage Management Guidance SPD.

### Registered Parks and Gardens

- 9.43** Parks and gardens of national historic importance are designated as registered parks and gardens and included in a register maintained by Historic England. The register is part of the National Heritage List for England (NHLE) and can be found on the Historic England website at: <http://www.historicengland.org.uk/listing/the-list/> Registered parks and gardens in the district are marked on the policies map.
- 9.44** New development should not detract from the enjoyment, layout, design, character, appearance or setting of that landscape. Nor should development cause harm to key views from or towards these landscapes or, where appropriate, prejudice their future restoration. Substantial harm to or total loss of significance of grade I or grade II\* registered parks and gardens, and any associated features contributing to their significance- including their setting, will be wholly exceptional.

### Registered Battlefields

- 9.45** The sites of battles judged to be engagements of national significance are protected as registered battlefields under the National Heritage Act 1983. Historic England maintains an up-to-date register of historic battlefields as part of the National Heritage List for England (NHLE). The register can be found on the Historic England website at: <http://www.historicengland.org.uk/listing/the-list/> Harrogate district contains three registered battlefields: Marston Moor (1644), Boroughbridge (1322) and Myton-on-Swale (1319). Each of these battlefields is marked on the policies map.
- 9.46** When considering applications for development in, or affecting the setting of, historic battlefields the overriding consideration will be desirability of conserving and enhancing the significance of the designated heritage asset and supporting a viable use consistent with its conservation. All registered battlefields will be given strict protection. Development should not adversely affect the historic and archaeological interest of the site, nor should it prejudice any potential for interpretation of the site. Development proposals that would result in substantial harm to or total loss of significance of historic battlefields, or any associated features contributing to their significance- including their setting, will be refused except in wholly exceptional circumstances.

### Non-designated Heritage Assets

- 9.47** The effect of development proposals on the significance of non-designated heritage assets will be taken into account when determining planning applications. In assessing applications, a balanced judgement shall have regard to the scale of any harm and the significance of the heritage asset. The consideration of the level of the significance of the asset should take account of the thematic or historic values unique to Harrogate district. The Heritage Management Supplementary Planning Policy Document provides guidance on understanding significance and selection criteria for non-designated heritage assets.

## Enabling Development

**9.48** Enabling development that would secure the future of a heritage asset that is at risk but would contravene other planning policy objectives may be acceptable provided that the impact of the proposed development on other public interests is mitigated and:

- It would not materially harm the significance of the asset, giving particular consideration to the contribution of setting to its significance
- It avoids detrimental fragmentation of the place
- It will secure the long term future of the place through a viable use that is consistent with its conservation
- It is necessary to resolve problems arising from the inherent needs of the asset (rather than the actions or circumstances of the present owner or purchase price paid)
- Sufficient subsidy is not available from any other source
- It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the asset
- The public benefit of securing the future of the heritage asset through such enabling development outweighs the dis-benefits of contravening other policies

**9.49** Planning consent may be granted if all of these criteria are met. The impact of the development must be clearly defined at the outset within a full application, and the significance of the heritage asset must be demonstrably conserved by the proposed development and enforceably linked to it (this will generally be through a legal agreement). Information that establishes and quantifies the need for development will be required to be submitted with the application because financial contributions involved would be fundamental to the decision.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP3: Local Distinctiveness
- Policy HP5: Design
- Policy NE4: Landscape Character
- Policy NE7: Trees and Woodland

#### Further guidance for applicants

- Harrogate Borough Council Heritage Management Guidance Supplementary Planning Document (2014)
- Good Practice Advice by Historic England held at <https://historicengland.org/advice>
- Fountains Abbey and Studley Royal World Heritage <https://www.english-heritage.org.uk/visit/places/fountains-abbey-and-studley-royal-world-heritage/>

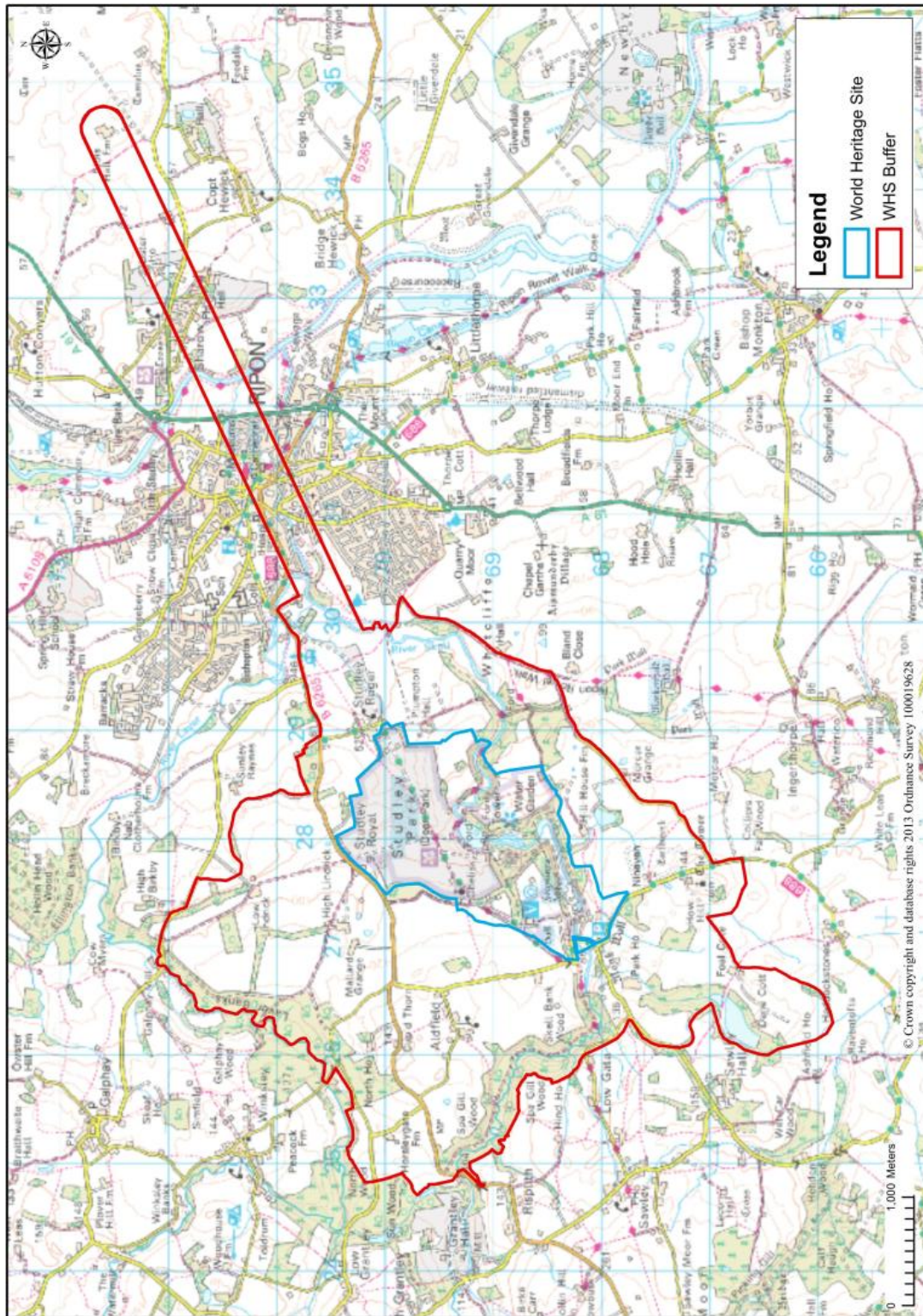
#### Evidence that may be required from applicants to accompany a planning application

- Heritage Statement
- Environmental Impact Assessment
- Field Evaluation (Scheduled Ancient Monument)

- Measured drawings of particular features that contribute to an assets significance may be required in addition to scaled survey drawings listed in the council's Validation Criteria
- Landscape and Visual Impact Assessment (LVIA)

**Designations/boundaries to be shown on the policies map**

- Conservation Areas
- World Heritage Site and Buffer Zone
- Registered Parks and Gardens
- Scheduled Ancient Monuments
- Registered Battlefields



Map 9.1 World Heritage Site and Buffer Zone.

**HP3: Local Distinctiveness****Draft Policy HP 3****HP3: Local Distinctiveness**

New development should incorporate high quality building, urban and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district's rural and urban environments. In particular, development should:

- A. Respect the spatial qualities of the local area, including the scale, appearance and use of spaces about and between buildings or structures, visual relationships, views and vistas.
- B. Respond positively to the building density, building footprints, built form, building orientation, building height and grain of the context- including the manner in which this context has developed and changed over time.
- C. Recognise the contribution of the natural environment including biodiversity, landscape and green infrastructure.
- D. Recognise the contribution of fenestration, roofscape, detailing, trees and planting, the palette and application of materials, traditional building techniques, and evidence of past and present activity to local distinctiveness and ultimately to landscape character.
- E. Incorporate design that is inspired by its local context or the best of contemporary practice that fits comfortably in its surroundings.

**Justification**

- 9.50** The Harrogate district has experienced a varied history, encompassing pre-history through to the recent past, which has resulted in the district's different urban and rural environments evolving in different ways. This has given rise to a wide variety of environments that today provide the present generation with a diverse range of locally distinctive places and landscapes. Individually and collectively these places and landscapes create the local distinctiveness of the district. Some of these places, their buildings, archaeology and landscapes are protected through international, national or local designations, however, the bulk of what makes the district distinctive is undesignated.
- 9.51** This policy establishes criteria against which all development proposals will be assessed. It reflects the importance of maintaining high quality, locally distinctive environments across the district for their own sake, and as a means of ensuring the conservation and contributing to the enhancement of the significance of heritage assets as well as the protection of landscape character. Protection for designated and non-designated heritage assets is provided under Draft Policy HP2: Heritage Assets, and protection of landscape character is provided under Draft Policy NE4: Landscape Character.
- 9.52** The National Planning Policy Framework (NPPF) identifies good design as a component of sustainable development, and states that proposals for development that are poorly designed and fail to take the opportunities available for improving the character and quality of an area and the way it functions should be refused. In the context of this policy, poor design is design that fails to respond positively to the local character and

sense of place of the area in which development is proposed, fails to take available opportunities to improve the quality of the local environment, or is visually unattractive as a result of its architecture and landscape design.

### Local distinctiveness

- 9.53** Local distinctiveness is an umbrella term for all of those elements that give a place its character, sense of place and sense of identity. Landscape character, landscape design, views, vistas, the scale and layout of buildings, the size, distribution and types of open spaces, building materials and detailing can all contribute to local distinctiveness, as can present activity and evidence of past activity.
- 9.54** Local distinctiveness exists in all places; it is not limited to areas that enjoy the protection of landscape or heritage designations, nor is it limited to areas with specific listed buildings. The contribution of a building, space, trees, landscape or view to local distinctiveness is more often not reflected by it being nationally or locally designated. In many cases, unlisted buildings can be fundamental to the overall character of a street scene, village green or skyline. Similarly, non-designated hedges, walls or railings are often vital components that give areas a sense of place and identity, while trees and greenery can be vital elements contributing to locally distinctive urban and rural built environments.

### Protect, enhance or reinforce

- 9.55** There are buildings, structures, spaces (both private and public) and landscape features, including walls and other boundary treatments, trees and woodland that and make a positive contribution to the local distinctiveness of a place. There is a presumption against any development that would remove, harm or undermine their contribution to local distinctiveness and character of a place. Where appropriate to a particular feature's contribution to local distinctiveness, they should be sensitively incorporated into new development by being retained in situ. The potential for sensitive adaptation or re-use of buildings that contribute to local distinctiveness is an important consideration. A contemporary building with appropriate landscape design would protect, enhance or reinforce an area's local distinctiveness by reflecting existing urban and landscape design characteristics as far as possible, in particular the street pattern, the way buildings enclose the street and the pattern of plots and building heights. Advice can be found within the [Heritage Management Guidance Supplementary Planning Document \(SPD\)](#).
- 9.56** Where local distinctiveness has previously been compromised or undermined, new development should seek to reinstate or reinforce those attributes which contribute positively to local distinctiveness and the sense of place. An example could be the reinstatement of a traditional timber shop front in place of an inappropriately designed shop front, or the reinstatement of traditional walls and railings along a village street. Where local distinctiveness is totally inconsistent with the vernacular of the area, for example next to a suburban estate that does not represent a good precedent for design and has no strong sense of place, design should be inspired by positive features in its local context, and/or be of the best design, whether contemporary or otherwise, that fits comfortably in its surroundings and establishes a new strong sense of place.
- 9.57** Evidence of the character and appearance of the conservation areas designated in Harrogate district can be found in the relevant conservation area appraisal. Useful information on other villages can be found in village design statements, where they have been produced. Conservation area appraisals and village design statements can be found on the council's website.



## Spatial qualities

- 9.58** The degree and manner in which spaces are enclosed by buildings, structures, trees and landscaping will dictate the overall character of a place and how it appears in the wider townscape or landscape. Some places have an intimate and enclosed character, whilst others are more open with significant gaps in the built form and landscaping. Some places have quite uniform spatial qualities whilst others are less consistent due to the manner in which they have developed historically. For new development to integrate with its context, it must complement the spatial qualities of the area.

## Context and change of context over time

- 9.59** The development of the district's built environments and countryside has been shaped by its topography, its historical land use and movement patterns, and land ownership. These factors have contributed to the distinctive character of the district's settlements and countryside. The district's built environments are as diverse as tightly packed medieval burgage plots, generously spaced suburbia, organically developed villages, and isolated but intimately grouped farmsteads. New development should respond positively to the context provided by the morphology and grain of surrounding areas in order to protect, enhance or reinforce local distinctiveness across the district. The grain comprises building lines, orientation, the pattern of buildings and spaces between, and the ratio of building to plot size.

## Palette of materials and traditional building techniques

- 9.60** The large size and varied geology of the Harrogate district mean that traditional local building materials vary from locality to locality within the district, and are often distinct from those of neighbouring areas, such as the Yorkshire Dales and West Yorkshire.
- 9.61** Historically most building materials were sourced from as close to the settlement as possible. As a result, there is varying use of sandstone, gritstone, stone slate, timber framing, brick, cobble, render, tiling, pantiles, limestone and thatch across the district. From the mid-nineteenth century onwards materials from outside the region, such as Welsh slate and some types of brick, were imported by rail. Like the local materials available before them, the way that these new materials have been used in different places varies across the district, contributing to local distinctiveness. Examples include variations in how walling is coursed and how stonework is dressed, whether openings have lintels, cambered arches or flat arches, detailing at the eaves and margins of roofs, and the use of horizontally sliding Yorkshire sash windows.
- 9.62** Today, natural building materials are sourced globally and mass-manufactured building components and materials are readily available. The use of materials which are not local or traditional to a settlement or landscape can significantly undermine the character, local distinctiveness and quality of a place. New development should protect, enhance or reinforce local distinctiveness by responding positively to the context provided by traditional building materials and traditional construction techniques.

## Design

- 9.63** Genuinely creative and innovative high quality design will be encouraged provided that the principles embodied within this policy are adopted. In exceptional circumstances, proposed development that would not satisfy one or more of criteria A to C inclusive of this policy will be supported if the benefits arising from the development outweigh any harm to local distinctiveness. In these circumstances it will be essential that the design of proposals is of the highest quality and any negative impacts are mitigated to ensure that the development fits comfortably in its surroundings.

- 9.64** There are some forms of development which, due to their intrinsic character, cannot be easily designed to fully integrate with existing development in certain locations. Examples include large-scale energy generating plant and infrastructure (including wind turbines and incinerators), large-scale buildings and structures relating to transportation (including multi-storey car parks and airfields) and other uses which, by their very nature require buildings or structures of a substantial footprint or height, or specific site sizes, layouts or engineering works that are essential to the function of the development.
- 9.65** These types of development are exceptional and are often of strategic importance. It would be undesirable for such developments, which are frequently the product of technological advances, to ape the scale, massing and form of historic development. Instead, where there is an overriding public need for the development, proposals of this sort should be of high quality design and the harmful impacts should be mitigated as far as possible. Nevertheless, development proposals that are incongruous with their context and deliver few or limited public benefits cannot be justified by high quality design and mitigation alone.

### Development type

- 9.66** This policy will be applied to all types of development ranging from large-scale new housing, industrial or mixed use development through to individual house extensions or alterations, new shop fronts and advertisements. To help satisfy the requirements of this policy, the council has developed supplementary planning documents (SPDs) on house extensions and garage design, and equestrian development. The council has also produced a range of design related non-statutory guidance that are available on the council's website at <https://www.harrogate.gov.uk/plan/Pages/planning-guidance.aspx>.

### Advertisements

- 9.67** Advertisements are controlled under the [Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#), and many non-illuminated signs enjoy deemed consent. However, local planning authorities can designate Areas of Special Control in which the categories of deemed consent are restricted. Harrogate Borough Council has designated an Area of Special Control that broadly covers the whole district, including all rural areas, Valley Gardens and the Stray in Harrogate, Knaresborough Castle and the riverside in Knaresborough, and the Ripon cathedral precinct. The areas excluded from special controls are the areas defined for planning purposes as town centres within Harrogate, Knaresborough and Ripon. The areas excluded from the Area of Special Control are shown on the Policies Map.

#### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets

#### Further guidance for applicants

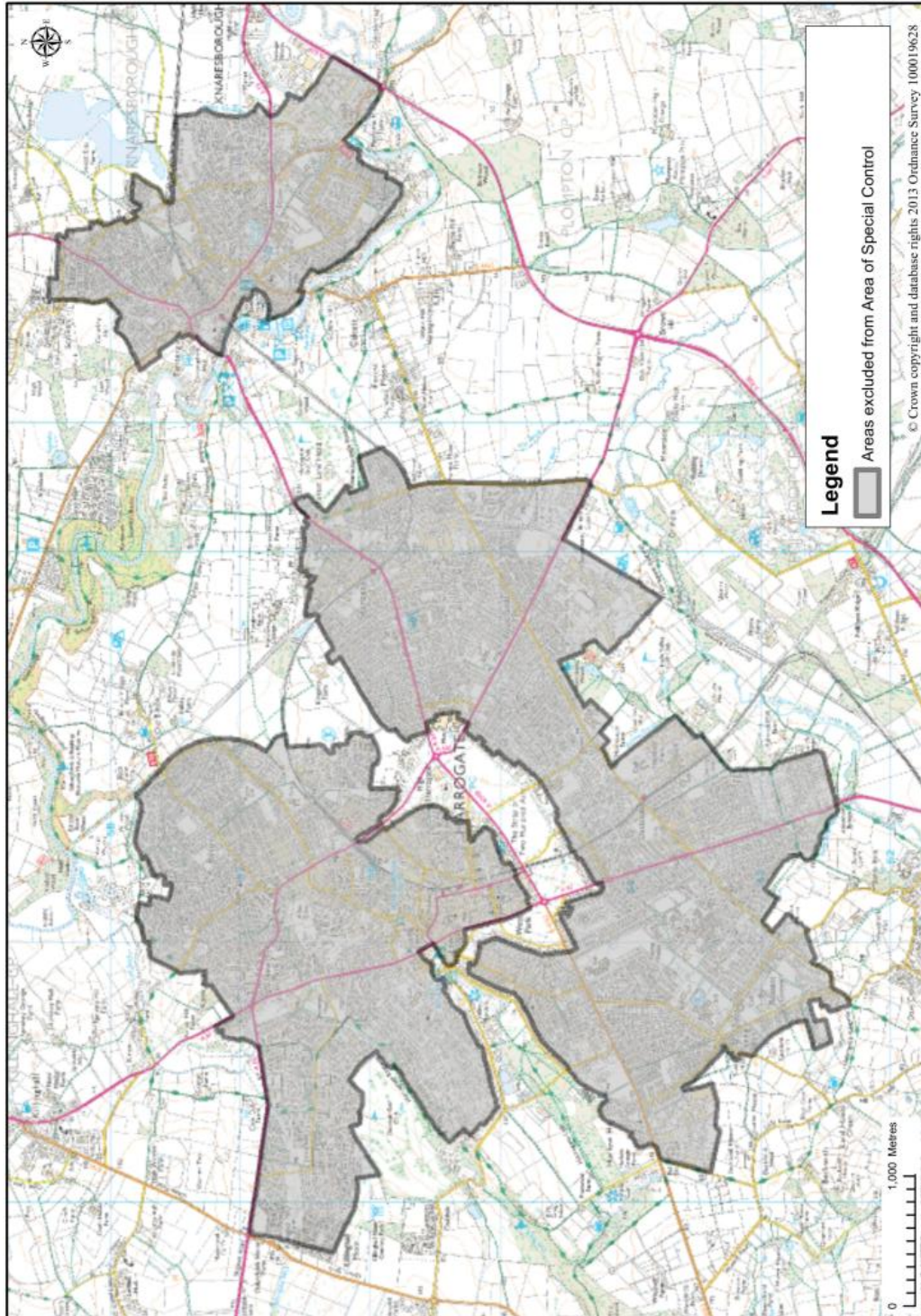
- Heritage Management Guidance Supplementary Planning Document (SPD).
- Landscape Design Guidance

#### Evidence that may be required from applicants to accompany a planning application

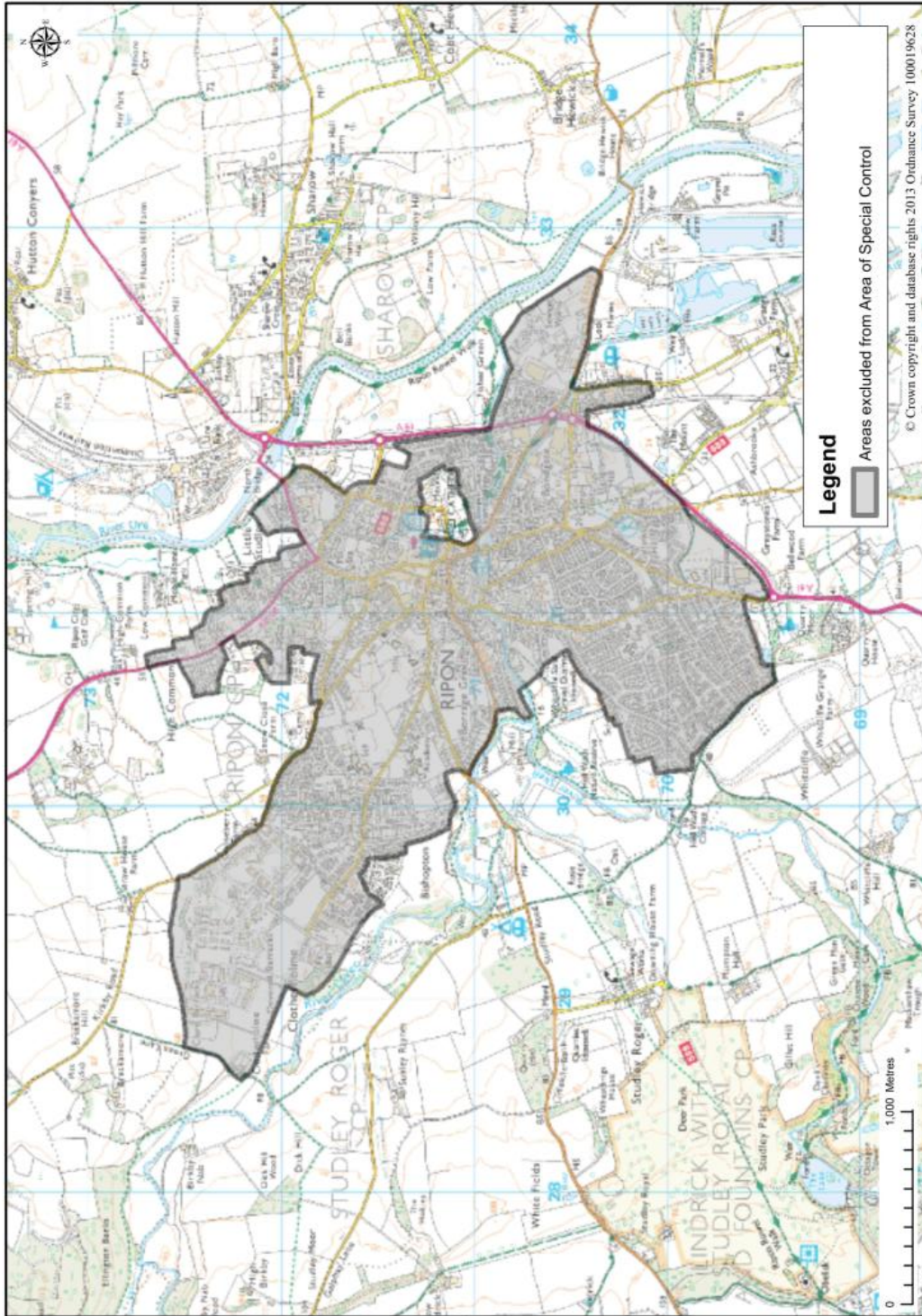
- Heritage Statement
- Design and Access Statements

**Designations/boundaries to be shown on the policies map**

- Area of Special Control



Map 9.2 Areas excluded from special control in Harrogate and Knaresborough.



Map 9.3 Areas excluded from special control in Ripon.

## HP4: Protecting Amenity

### Draft Policy HP 4

#### HP4: Protecting Amenity

Development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours.

Amenity considerations will include the impacts of development on:

- A. overlooking and loss of privacy;
- B. overshadowing, outlook and loss of light;
- C. vibration, fumes, odour noise and other disturbance.

The individual and cumulative impacts of development proposals on amenity will be considered.

New residential development should incorporate well designed and located private outdoor amenity space which is of an adequate size for the likely occupancy of the proposed dwellings.

### Justification

- 9.68** The National Planning Policy Framework (NPPF) (paragraph 17) is clear that a core principle of planning should be to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Protecting amenity and the wellbeing of communities and ensuring residents and businesses are not adversely affected by development will be a key success of managing growth within the district.
- 9.69** For the purposes of this policy, amenity is defined as "the pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents or visitors". Developments that affect people's visual and other amenities, such as those that create noise, smell or air pollution require careful siting to minimise impacts and appropriate measures to minimise or mitigate any potential negative impacts that location does not resolve. Equally, the siting and design of sensitive uses, such as residential development needs careful consideration to ensure that problems are not created. Development should consider not only the individual impacts but also cumulative impacts.
- 9.70** The provision of private amenity space as part of residential development allows individuals to carry out household and leisure activities such as gardening, drying clothes, children's play. All new residential units will be expected to have direct access to an area of private amenity space. The size and form of amenity space will be dependent on the type of housing and could include a private garden, roof garden, balcony or ground level patio with defensible space from any shared amenity areas.
- 9.71** This policy seeks to ensure amenity is protected, setting out general standards. Other Local Plan policies also contribute to protecting amenity through setting out the approach to specific issues.

#### Further Information

#### Related planning policies

- [National Planning Policy Framework](#) (NPPF)
- Policy HP3: Local Distinctiveness
- Policy NE1: Air Quality
- Policy NE2: Water Quality
- Policy NE9: Unstable and Contaminated Lane

#### Further guidance for applicants

### HP5: Public Rights of Way

#### Draft Policy HP 5

##### HP5: Public Rights of Way

Proposals for development that would affect existing public rights of way will be permitted only where it can be demonstrated that:

- The routes and the recreational and amenity value of rights of way will be protected, or satisfactory diverted routes that deliver a level of recreational and amenity value at least as good as the routes being replaced are provided; and
- In all cases, opportunities for enhancement through the addition of new links to the existing network and the provision of improved facilities have been fully explored and, where appropriate, all reasonable and viable opportunities have been taken up.

### Justification

- 9.72** A public right of way is a route over which the public has the right to pass and repass on foot. As such, public rights of way include footpaths and bridleways, restricted byways and byways open to all traffic. This policy applies to all public rights of way with the exception of publicly maintained roads, their pavements or verges. In addition to access on foot, certain public rights of way are also open to horse riders, cyclists or motorists. Some public rights of way cross publicly owned land, while others are on land that is privately owned. The local highway authority, North Yorkshire County Council, is responsible for managing the network of public rights of way in Harrogate district.
- 9.73** The district's network of public rights of way, together with permissive routes, provide an important recreational resource that enables the public to experience and enjoy the district's high quality natural, built and historic environments through activities such as walking, cycling and horse riding. As such, these routes play an important role in ensuring the physical and mental health and wellbeing of the district's residents as well as contributing to what the district has to offer to visitors. The network is also an important sustainable transport resource, providing safe connections for low carbon forms of travel within, around and between settlements.
- 9.74** This policy aims to protect public rights of way so that the routes and their existing recreational and amenity value is not undermined by new development. It also aims, where appropriate, to use development to deliver enhancements to the public rights of way network, whilst not making development unviable. The policy strongly encourages the addition of new links to the existing network to encourage their greater use by providing more convenient access points and connecting to more places. Although this is most easily achieved where a right of way crosses or runs adjacent

to a development site, there will be occasions where new links can be provided to rights of way that are at a greater distance from the development site at minimal expense, for example, where the site and the land between the site and the public right of way is under the same ownership. The policy also encourages enhancements through improved facilities, such as gates, stiles and signage etc., as well as improved surfaces and boundary treatments. The nature of improvements and any materials used should be discussed with North Yorkshire County Council prior to the submission of a planning application.

**9.75** In circumstances where the route or the recreational or amenity value of a public right of way would be negatively affected by development, the route should be diverted along an appropriate alternative route that provides at least as good recreational and amenity value as the one being replaced. New development should not demonstrably deter the use of a public right of way. Important factors to consider will include the safety, directness, convenience and attractiveness of the right of way following development. Where possible, routes should be diverted to maintain key views and long range vistas.

**9.76** A number of long-distance trails and circular routes pass through or are wholly contained in the Harrogate district. Examples of these include the Nidderdale Way, the Ripon Rowel, the Harrogate Ringway, the Knaresborough Round, the Beryl Burton Cycleway, the Ebor Way, the Six Dales Trail, and the Way of the Roses Cycle Route. Rights of Way within the Harrogate district can be found on the rights of way definitive map maintained by North Yorkshire County Council.

**Further Information**

**Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

**Further guidance for applicants**

- Green Infrastructure Guide

**HP6: Protection of Existing Sport, Open Space and Recreation Facilities**

**Draft Policy HP 6**

**HP6: Protection of Existing Sport, Open Space and Recreation Facilities**

- A. Proposals for development that would involve the loss of existing outdoor public and private sport, open space and recreational facilities will be permitted only where:
- a. The applicant can demonstrate that there is a surplus of similar facilities in the area and that the loss would not adversely affect the existing and potential recreational needs of the local population, making allowance for the likely demand generated by allocations in this plan; or
  - b. A satisfactory replacement facility is provided in a suitable location, accessible to current users, and at least equivalent in terms of size, usefulness, attractiveness and quality; or



- c. The land is incapable of appropriate recreational use due to its size, location and physical conditions; or
- d. In the case of playing fields:
  - i. The sports and recreation facilities on a site would best be retained and enhanced through the development of a small part of the site, and the benefits of development to sport and recreation clearly outweigh the loss of the land; or
  - ii. The proposal involves the development of an alternative indoor or outdoor sports facility on the site, and the benefits of development to sport and recreation clearly outweigh the loss of the playing fields
- B. Any loss of an open space or a sport or recreational facility, which is acceptable under the above criterion, will be permitted only where it can be demonstrated that the loss would not cause significant harm to the amenity and local distinctiveness of the area. Small scale developments that are related to the function of an amenity open space will be permitted where it can be demonstrated that the public benefits of development outweigh the harm
- C. Development proposals that would involve the loss of existing indoor public and private sport and recreation facilities will be permitted only where:
  - a. Their loss would not adversely affect the existing and potential sport and recreational needs of the local population, making allowance for the likely demand generated by allocations in this plan; or
  - b. A satisfactory replacement facility is provided on the same grounds as criterion 1b above; or
  - c. They are incapable of continued sport and recreational use.

## Justification

- 9.77** This policy provides protection for a wide range of indoor and outdoor sport, open space and recreation facilities in public ownership or in educational use, including parks, gardens, allotments, playing fields, tennis courts, cricket grounds, bowling greens, sports halls, swimming pools, gyms, natural and semi-natural green spaces (including urban woodland), play areas, and golf courses. The policy also protects privately owned facilities in non-educational use where the use is not solely domestic. The policy applies equally to land currently in use or last used for these purposes, including land that has been neglected for an extended period of time but is capable of being brought back into active use with reasonable endeavours. The decision on whether proposals are assessed as involving the loss of a sport, open space and/or a recreational facility, either in whole or in part, will be determined on a case by case basis in line with this policy.
- 9.78** Where a replacement facility is to be provided, it must meet the test set out in criterion 1b of the policy and be fully usable before the existing facility is lost.
- 9.79** The recreational and amenity value of school playing fields and other playing fields is considered particularly important. When not required for their original purpose, these recreational assets may be able to meet the growing need for recreational land in the wider community. In view of an identified shortage of sports pitches in Harrogate, Knaresborough and Ripon, the retention of playing fields in these settlements is considered particularly important.

- 9.80** In general terms there is a deficiency of recreation open space throughout the district, however, in certain areas the supply of particular types of open space is above the council's minimum standards. In these limited locations, if it can be demonstrated that the open space cannot be used for other recreational needs (e.g. where a surplus of casual play space cannot be used for formal sports pitches), its loss to development may be acceptable under criterion 1b. The distance thresholds contained in the [Provision for Open Space in Connection with New Housing Development Supplementary Planning Document \(SPD\)](#) will be used to define the extent of the area to be considered. In determining the acceptability of a loss, and whether the existing and potential needs of the local population would be adversely affected, any assessment would need to take account of the quality of the open space, its value to the community and its contribution to the character and local distinctiveness of the area.
- 9.81** In very limited circumstances, existing facilities may best be retained and enhanced through the redevelopment of a small part of the site. For example, the use of monies generated from such a redevelopment may be used to improve drainage or the quality of pitches, or fund the provision of an all-weather surface. However, this would only be acceptable where the loss of open space will not have any adverse effect on the recreational needs of the area.
- 9.82** The policy also seeks to protect indoor sport and recreation facilities, including swimming pools, sports halls and gymnasiums. Such facilities, even where they are currently not in use, are a valuable community resource and should be protected to safeguard opportunities for future recreational use. In most areas, once these types of community facilities are lost they are often very difficult to replace, and this is particularly true in Harrogate district where land values are particularly high. Whilst the council will normally resist proposals which would result in the loss of indoor facilities, there will be occasions where their loss could be considered acceptable, for example where the continued use of a facility is not feasible, where the facility has been or is being replaced, or where its loss would not otherwise affect existing or future recreational needs.
- 9.83** Open spaces can often contribute positively to the amenity and local distinctiveness of settlements by providing an important and attractive break in the built-up area, or by providing views beyond the immediate street scene to, for example, more distant streets or into the countryside. These open spaces may include village greens, churchyards, grounds of halls or country houses, paddocks, woodlands, orchards, parks, large private gardens etc. Where this is the case, these spaces will be protected as amenity open space under the provisions of this policy.
- 9.84** Amenity open space may or may not have public access, for example, in villages many amenity open spaces are agricultural land with no public access. Sports and recreational open space that make a significant contribution to the character and local distinctiveness of an area through their amenity value will also be considered amenity open space.
- 9.85** The policy aims to conserve the smaller amenity open spaces within villages in their entirety and, as a result, any loss would be wholly exceptional. In Harrogate, Knaresborough and Ripon some of the amenity open spaces, such as the Valley Gardens in Harrogate, are large and help to support tourism. In exceptional circumstances, where the public benefits outweigh the harm to amenity and local distinctiveness, approval will be given to small scale development that enhances the function of the open space.
- 9.86** The Stray in Harrogate is considered an amenity open space. In addition to protection through this policy, it is also protected by an Act of Parliament- the Harrogate Stray Act 1985.

**Further Information****Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy NE5: Green Infrastructure
- Policy HP3: Local Distinctiveness

**Further guidance for applicants**

- [Provision for Open Space in Connection with New Housing Development Supplementary Planning Document \(SPD\)](#)

**Evidence that may be required from applicants to accompany a planning application**

- Pre-application consultation in line with the council's Statement of Community Involvement

**HP7: New Sports, Open Space and Recreation Development****Draft Policy HP 7****HP7: New Sports, Open Space and Recreation Development**

- A. New housing and mixed use developments will be required to provide new sports, open space and recreational facilities to cater for the needs arising from the development in line with the provision standards set out as follows:
- Parks and Gardens: 0.15 ha per 1000 people
  - Natural and Semi-Natural Greenspace: 4.07 ha per 1000 people
  - Amenity Greenspace: 1.63 ha per 1000 people
  - Provision for Children and Young People: 0.13 ha per 1000 people
  - Allotments and Community Gardens: 0.35 ha per 1000 people
  - Outdoor Sports Facilities: 1.16 ha per 1000 people
  - Cemeteries, disused churchyards and other burial grounds: 0.5ha per 1000 people
- B. Proposals for the development of new sports, open space and recreation facilities will be permitted where:
- a. The facility is located:
    - in or adjacent to built up areas, wherever possible; or
    - in remoter rural areas, is located to best serve the intended catchment population; and
  - b. The proposal would not give rise to significant traffic congestion or road safety problems; and
  - c. New buildings or structures are well designed and appropriately integrated into the landscape; and
  - d. Proposals on the edge of settlements should seek to improve the setting of the settlement

- C. Proposals for sport and recreational facilities likely to attract a large number of people due to their nature or scale (including sports stadia, health and fitness centres, swimming pools and other indoor sports facilities) should be located within or adjacent to Harrogate, Knaresborough, Ripon, Pateley Bridge, Masham or Boroughbridge and be accessible by regular bus or rail services
- D. Proposals for sport and recreational activities that require a countryside location will be permitted in the open countryside outside of development limits (or the built up area of settlements) only where they:
  - a. Cannot be located adjacent to a built up area; and
  - b. Are of a scale and nature appropriate to their landscape setting; and
  - c. Do not involve a significant number or size of buildings or structures; and
  - d. Would not cause excessive noise disturbance or light pollution to other users of the countryside, land uses or residents in the area; or adversely impact on wildlife; and
  - e. Would not give rise to significant traffic congestion or road safety problems.

## Justification

- 9.87** The district contains a wide range of formal parks and gardens, recreation grounds and outdoor sports facilities, informal open spaces, and playgrounds that cater for the needs of residents and visitors. Together these open spaces provide a wealth of opportunities for formal and informal sport and recreational activities. As such, they make an important contribution to the physical and mental health and wellbeing of the district's residents, as well as contributing to what the district has to offer for visitors.
- 9.88** The National Planning Policy Framework (NPPF) requires planning policies relating to sports, open space and recreation to be based on robust and up-to-date assessments of local needs and the opportunities for delivering new provision. In response, the council has produced an [Outdoor Sports Strategy](#) (2013), which has informed the approach set out in this policy. The strategy identifies that existing sport, open space and recreational facilities will be sufficient to meet the majority of the district's recreational needs over the life of the plan, although new provision will be required to meet the needs arising from new housing development and to address a number of specific requirements that have been identified.
- 9.89** The council will work with communities over the plan period to explore opportunities for the delivery of new sport, open space and recreation facilities in response to local needs.

## New provision

- 9.90** Across the district, all housing developments that result in a net housing gain, with the exception of temporary homes, rest homes, nursing homes and other institutional uses, will be expected to contribute towards the provision and enhancement of open space to meet the needs generated by residents of the development. The quantity standards set out in the council's [Provision for Open Space in Connection with New Housing Development Supplementary Planning Document \(SPD\)](#) will be applied to determine the required level and type of on-site or off-site open space provision or enhancement. Where on-site provision is necessary, appropriate arrangements must be made for the on-going maintenance of the new facilities in line with the SPD. The council intends to review and consult on its open space standards prior to the submission, adoption and implementation of the Local Plan.

- 9.91** The calculation to determine whether a housing development needs to make a contribution towards the provision of open space will be based on the net population of the development along with the quantity and quality of open space within a reasonable distance of the development site. This ensures that any resultant open space requirement is directly related to the development, is necessary to make the development acceptable in planning terms and is fairly and reasonably related to the development in both scale and kind.
- 9.92** Prior to the adoption of a [Community Infrastructure Levy \(CIL\)](#) charging schedule, the council will continue to operate commuted sums policies with regards to the enhancement of off- site open space in connection with new residential development.
- 9.93** New children's play facilities should be carefully located so that they are adequately overlooked in order to reduce the potential for anti-social behaviour whilst ensuring that they do not give rise to residential amenity problems through noise disturbance.
- 9.94** The council's [Outdoor Sports Strategy](#) (2013) identifies specific improvements to sports facilities that are needed, as well as new facilities that would enhance recreational provision in the district. In particular it recommends that the council:
- seeks to relocate football clubs that are dispersed across a variety of sites in order to promote the development of these clubs
  - supports the relocation of rugby clubs where existing bases are constraining the amount and standard of play
  - considers the need to extend provision of cricket clubs where capacity is becoming restricted
  - considers the provision of an additional artificial grass pitch to support the needs of the hockey club in Harrogate, or for wider sports use
- 9.95** In response the council will seek opportunities to allocate sites in the Local Plan to accommodate new sports facilities. If further proposals come forward during the life of the plan, they will be assessed against this policy as well as any other relevant policies in this plan.
- 9.96** Dual and joint use of education, sports and recreation facilities will be encouraged. The use of school playing fields by local sports clubs may offer potential for helping to meet the demand for sports facilities, especially in the district's larger settlements.
- 9.97** The policy recognises that in remoter rural areas, where a new facility is intended to serve the needs of more than one village, it may be more appropriate to locate the facility in the open countryside away from the built up areas of the villages. Where this is proposed, the council will expect clear evidence to justify the approach and to demonstrate that the facility will be accessible by its intended catchment population without creating unacceptable highway issues. Proposals for development within the Green Belt must also comply with Green Belt policies, as set out in this plan and the well as the NPPF. The extent of Green Belts within the Harrogate district is shown on the Policies Map.

### **Sports and recreational activities that require a countryside location**

- 9.98** A number of sports and recreational activities commonly associated with the countryside often require a site with a particular geographical feature or landscape character (e.g. water sports, aerial sports, equestrian sports, motor sports, mountain biking, archery, angling and rock climbing). If these activities cannot be accommodated within built-up areas this policy seeks to manage such uses in the countryside in order to prevent

harm to sensitive environments or conflict with other countryside uses. In particular, it is important that inappropriate levels of activity do not result from new sport and recreation development in the countryside.

**9.99** Countryside locations are also sensitive to increases in noise and artificial light. Artificial light from, for example, floodlights, security lights and street lighting can have an urbanising effect and lead to amenity problems for residents and other land uses. Noise from certain activities and sports, such as motor sports, war games, aerial sports, gun sports and powered water sports may cause harm in some locations, particularly tranquil areas. When planning permission is required for sports and recreational activities or associated access, buildings and car parks, the noise and light impacts of the proposal will be major determinants in considering acceptability.

**9.100** Schemes for the development of sports and recreation facilities that require a countryside location and are proposed within the Green Belt must also comply with Green Belt policies, as set out in this plan and the well as the NPPF. The extent of Green Belts within the Harrogate district is shown on the Policies Map.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy T11: Sustainable Transport
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape character

#### Further guidance for applicants

- [Provision for Open Space in Connection with New Housing Development Supplementary Planning Document \(SPD\)](#)
- [Outdoor Sports Strategy](#) (2013)

#### Evidence that may be required from applicants to accompany a planning application

- Pre-application consultation in line with the council's Statement of Community Involvement

## HP8: Protection and Enhancement of Community Facilities

### Draft Policy HP 8

#### HP8: Protection and Enhancement of Community Facilities

- A. Proposals for development that involves the loss of land or premises currently or last in community use (including community/village halls, schools, colleges, nurseries, places of worship, health services, care homes, libraries, public houses, and village shops or post offices that cater for day to day needs in rural communities) will be permitted only where it can be clearly demonstrated that:

- a. continued community uses would cause unacceptable planning problems; or
  - b. a satisfactory replacement facility is provided in a suitably convenient location for the catchment served prior to the commencement of development; or
  - c. there is no reasonable prospect of the existing use continuing on a viable basis with all options for continuance having been fully explored, and thereafter there is no reasonable prospect of securing a viable satisfactory alternative community use.
- B. Proposals involving the improvement of existing community facilities by way of redevelopment or extension will be supported unless it would:
- a. result in a significant adverse impact on residential amenity; or
  - b. cause unacceptable planning problems for other adjacent land uses; or
  - c. increase traffic to levels that would harm the safety and free flow of traffic on the highway network.

## Justification

- 9.101** This policy seeks to encourage the retention of a wide range of locally based community facilities to help ensure that people have good access to a range of services. The policy is geared towards retaining existing community uses or re-instating former community uses by whatever means possible. However, in circumstances where this can be shown to be unviable, it requires all reasonable attempts to be made to secure alternative community uses. The policy does not apply to sports facilities, open space or recreation facilities as development proposals affecting these assets will need to meet the requirements of Policy HP7: Protection of Existing Sport, Open Space and Recreation Facilities.
- 9.102** Where an existing community use, and all viable alternative community uses, would cause unacceptable planning problems, for example with regard to residential amenity or highway safety, which cannot be resolved by reasonable measures, the loss of community use will be permitted. Proposals involving the provision of a satisfactory replacement facility prior to development and in an equally or more beneficial location for the community served will also be permitted. It is likely that the replacement facility will have to be provided off-site, although the policy does not negate replacement as part of a mixed-use scheme on the development site itself. However, to be "*satisfactory*", the replacement must fully address the community needs met by the existing facility. In assessing the location of replacement facilities, safe and easy accessibility (including in terms of travelling time and cost of travel) by foot, cycle and public transport will be important considerations. However, in remoter rural areas it is recognised that this may not always be achievable, nevertheless, replacement facilities must still be at least as accessible to the community they serve as the facilities they are replacing.
- 9.103** The policy supports bringing vacant buildings or land back into use for alternative purposes in circumstances where there is evidence to demonstrate that there is no realistic prospect of the land or premises operating viably in the short to medium term (i.e. five years) in, firstly, its existing community use, and thereafter in other community uses. Where large sites or buildings are involved, this should include investigating the

potential for part of the site or building to be retained for community use. Consideration should also be given to the innovative diversification of existing facilities to improve custom and viability, for example the combination of village hall and crèche, or a “pub in the community” where a shop or post office is located in the local pub to provide a dual service to the community. Identifying the views of the local community as part of meaningful pre-application consultation will be very important in this respect.

**9.104** To assess proposals against criterion c, applicants will be required to provide the following evidence to demonstrate that reasonable attempts have been made to actively market the land or premises for sale or lease by an appropriate agent(s), at existing use value for at least 12 consecutive months prior to the application being made:

- details of the company and person who has carried out the marketing exercise;
- copy of the sales particulars;
- details of the original price paid, date of purchase and the new guide price;
- schedule of the advertising carried out, with copies of the advertisements and details of where and when the advertisements were placed, along with an estimate of the expenditure incurred from advertising;
- the confirmed number of sales particulars distributed, along with a breakdown of where the enquiries resulted from, for example, from the “For Sale/To Let” board, advertisements, etc.;
- details of the number of viewings;
- resulting offers and why they were dismissed;
- details of the period when a “For Sale/To Let” board was displayed, or if not, the reasons behind the decision;
- timetable of events from the initial appointment of the agents to current date.

**9.105** In the context of this policy, appropriate agent(s) means agent(s) specialising in premises with the same use as the application site, where they exist, in addition to local property agents. For example, when considering proposals involving the loss of public houses, applicants would need to demonstrate marketing with agents specialising in licenced premises and local property agents.

**9.106** In addition, for applications involving licensed premises the following information will also be required:

- the last three years’ trading accounts with a breakdown of the percentages of income from food and drink;
- where a dining facility is provided, details of the market aimed at and the number of covers available;
- who the licence is currently held with and when it is due for renewal;
- the opening times for the premises.

**9.107** In relation to the marketing of current or former public houses, the asking price should be pre-agreed in writing with the local planning authority following an independent valuation (funded by the developer) by a RICS certified valuer with expertise in the licensed leisure sector who is not engaged to market the property. The asking price should be based on the valuation of the site as a trading pub without a tie, in the first instance. If this exercise is unsuccessful, the pub site should be marketed for alternative community uses.

**9.108** Whilst national and local policy is moving away from traditional older persons’ accommodation in care homes towards better home care support, including extra care housing and assisted living, there remains a need to retain specialist housing in care homes as part of a range of solutions aimed at meeting the needs of older people. This is particularly true given that the 2011 Census shows that the population of



Harrogate district includes higher proportions of older people than the national average in all age categories over 65 years, and the proportion of older people is forecast to increase. It is also noted that a lack of care home places puts additional pressure on NHS services by leading to hospital stays that are longer than necessary. In assessing proposals involving the loss of specialist accommodation for the elderly, the viability of continued operation and the scope for providing more suitable replacement accommodation within the community will be particularly important considerations. The assessment of whether care homes are capable of meeting care standards legislation, including the Care Standards Act 2000, will be a critical viability consideration, requiring consultation with the Care Quality Commission.

- 9.109** Planning applications involving the loss of land or premises currently or last in community use will not be validated until the council is satisfied that the information set out in the paragraphs above is provided in support of the application. While the asking price for current and former licenced premises should always be agreed with the council in writing, as set out above, to avoid delays in validating applications involving the loss of other community uses, applicants are strongly encouraged to agree site valuations and marketing arrangements with the council in advance of making an application.
- 9.110** As the public often have important views on the continued operation of community facilities, it is important that they have access to the facts on which a council decision is based. As a result, as much of the information as possible that is provided in support of an application needs to be accessible to the public. Whilst commercially sensitive information will be treated in confidence, applicants should set out a justification for the loss of the community facility that summarises the facts is available for all to read. Specialist financial details may be subject to independent expert assessment. The policy is not intended to operate in such a way that owners suffer real personal hardship, especially where living accommodation is involved. Therefore, in order to avoid delays in determining applications, the council strongly encourages the submission of all the necessary information required to assess proposals against this policy at the outset of making a planning application.
- 9.111** Community facilities should also have the flexibility to continually improve and expand in order to offer the best service and amenity to local residents. Development proposals to extend or improve community facilities by way of either a complete or partial redevelopment will be permitted provided that they would not have an adverse impact on the surrounding area.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

#### **Further guidance for applicants**

- Community Facilities Protection: Guidelines for Development Control (2004) Harrogate Borough Council

#### **Evidence that may be required from applicants to accompany a planning application**

- Marketing details as set out in the policies supporting text
- Pre-application consultation in line with the council's Statement of Community Involvement

**HP9: Provision of New Community Facilities****Draft Policy HP 9****HP9: Provision of New Community Facilities**

New community facilities will be permitted where it can be demonstrated that there is a local need for the facility, and the following criteria are met:

- A. The facility is of a scale and nature appropriate to its location and intended purpose;
- B. The facility is accessible to the community it is intended to serve;
- C. There are no significant adverse impacts on residential amenity;
- D. There will be no significant loss of industrial, business or housing land or buildings, recreational land or important amenity open space;
- E. All options to reuse existing appropriately located buildings are exhausted before proposals for the development of new buildings are considered;
- F. The facility would not give rise to significant traffic congestion or road safety problems.

**Justification**

- 9.112** Proposals for new community facilities will be required to demonstrate that they are needed by the local community, taking account of the availability and convenience of using the nearest alternative facility in the area. New community facilities should be of a sufficient size to meet the needs of the community they are intended to serve but no larger.
- 9.113** New facilities should be located where they are accessible by public transport, or within walking distance of their anticipated users, wherever possible. However, the policy recognises that in the more remote rural areas this may not always be possible, either because existing services are not as frequent or convenient, or because there is currently no local service provided. Where this is the case, community facilities should be located where they would be most convenient to the community they are intended to serve, making the best use of public transport services that are available, where these do exist, and not have an adverse impact upon the operation of the highway network nor on highway safety.
- 9.114** The loss of land protected for other purposes within the plan should be avoided. However, in exceptional circumstances where no suitable site or building is available within a settlement or locality to meet the requirement for a proven necessary community facility (such as a school or health centre), the redevelopment of existing industrial land or buildings or a new site on the edge of the settlement may be acceptable. This would not apply to public houses.
- 9.115** The re-use of suitable and appropriately located vacant buildings in the countryside would be preferable to the development of new buildings in the countryside. Applications involving the development of new buildings for use as community facilities should be accompanied by information on the availability and suitability of existing vacant buildings and why these have not been considered appropriate.
- 9.116** Development proposals involving the provision of cultural facilities that cater for the needs of the district as opposed to individual communities, such as theatres, museums, galleries and concert halls, are not covered by this policy. These proposals would be considered in line with the Town and Local Centre Management policy and the National Planning Policy Framework (NPPF).

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP3: Local Distinctiveness
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

### **Further guidance for applicants**

#### **Evidence that may be required from applicants to accompany a planning application**

- Pre-application consultation in line with the council's Statement of Community Involvement

## Natural Environment

## 10 Natural Environment

### Natural Environment Key Facts

- The district contains a number of European sites including the North Pennine Special Protection Area, Kirk Deighton Special Area of Conservation and North Pennine Moors Special Area of Conservation.
- The district contains .....Sites of Importance for Nature Conservation (SINCs)
- English Nature has designated 25 sites across the district as SSSI's covering 19,288ha.
- The district contain 5 Local Nature Reserves covering 38.63 ha.
- Spa water, as a natural resource is an important asset of the historic environment which needs protecting.
- Air Quality Management Areas (AQMAs) have been declared at A59 Bond End in Knaresborough and High and Low Skellgate, Ripon due to the level of the pollutant Nitrogen Dioxide exceeding the air quality objective.
- There are specific areas in Ripon where subsidence due to gypsum dissolution occurs and therefore there is a need to minimise the risks and effects on property, infrastructure and the public.
- SLAs
- 20% of the district is Grade 1 or 2 agricultural land.

STILL TO BE FINALISED

### NE1: Air Quality

#### Draft Policy NE 1

##### NE1: Air Quality

Development in, or likely to affect, the Knaresborough and Ripon Air Quality Management Areas (AQMAs), or any other AQMA designated over the course of the plan period, should ensure consistency with the Air Quality Action Plan and the current North Yorkshire Local Transport Plan.

### Justification

- 10.1** Local authorities in the UK have statutory duties for managing air quality under [Part IV of the Environment Act 1995](#). The council is required to carry out regular reviews and assessments of air quality against standards and objectives prescribed in The Air Quality (England) Regulations 2000 and the Air Quality (England) (Amendment) Regulations 2002. The concentrations within the regulations are set at a level that is considered to be acceptable in terms of what is scientifically known about the effects of each pollutant on health and the environment.
- 10.2** Action to protect and improve air quality will be undertaken within the Harrogate District by requiring all planning applications creating to traffic to provide mitigation in the form of Electric Vehicle Charging Points and all planning applications that give rise to significant amounts of traffic to provide information on the increase in pollution arising as a result of the development proposals and identify mitigation measures to address these increases. Mitigation measures proposed must have regard to the current [North Yorkshire Local Transport Plan](#) and the [Air Quality Action Plan](#). Should the detailed

assessment confirm that one or more of the air quality objectives for each of the seven pollutants<sup>(15)</sup> is/are not being achieved then an Air Quality Management Area (AQMA) must be declared. The detailed assessment should clearly identify areas that exceed the objective and possible boundaries for the AQMA.

- 10.3** Where air quality is likely to be an issue, pre-application discussion with the council's Environmental Protection team will be required.
- 10.4** AQMAs were declared at A59 Bond End in Knaresborough and the B6265 at High and Low Skellgate, Ripon in November 2010. These AQMAs were declared because the level of the pollutant Nitrogen Dioxide exceeds the air quality objective of 40 micrograms per cubic metre. This pollutant is predominantly created by road traffic and congestion at these junctions. The boundaries of the AQMAs can be viewed on the council's [website](#). Both AQMAs are in locations where there are many buildings close to the highway creating a 'canyon' effect, with the buildings either side of the road restricting dispersion and dilution of the emissions. Also, both the AQMAs are within Conservation Areas and include Listed Buildings. An Air Quality Action Plan was produced by the council in 2013 for these areas and agreed by both Harrogate Borough Council and North Yorkshire County Council. The Action Plan includes a number of measures to address air quality issues including the development of planning policy and further guidance for developers. Developers need to have regard to the Air Quality Action Plan when proposing development that is in or likely to impact on the Knaresborough or Ripon Air Quality Management Areas.
- 10.5** Additional areas across the district where emissions may exceed the regulations are being monitored. As air quality issues are primarily transport related, integration between land use policies, the Local Transport Plan and the Air Quality Action Plan is important. This integration will ensure that the impact on air quality of development proposals across a wider area (which may impact on the AQMA areas) is considered, especially as high levels of transport related pollutants can have a significant detrimental effect on people's health and quality of life as well as on the quality of the natural environment and wildlife. This will be achieved by requiring all planning applications to submit an Air Quality Assessment, where the proposal will give rise to significant amounts of traffic, and which are considered to potentially impact upon local air quality emissions. The cumulative impact of traffic in an area and the type of traffic are also important considerations. The developer will be required to identify mitigation measures to address these issues as part of a Transport Assessment/Travel Plan.
- 10.6** A guidance document will be prepared with the council's Environmental Protection team and the Highway Authority to provide additional guidance to developers and identify locations, land uses and size thresholds above which applications for development proposals will be required to provide this information, together with mitigation measures.

**Further Information**

**Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

**Further guidance for applicants**

15 The seven pollutants are Carbon Monoxide, Benzene, 1,3 Butadiene, Lead, Nitrogen Dioxide, Sulphur Dioxide and PM10

- [North Yorkshire Local Transport Plan](#)
- [Part IV of the Environment Act 1995](#)
- [Air Quality Action Plan](#)

#### Evidence that may be required from applicants to accompany a planning application

- Transport Assessment/Travel Plan

## NE2: Water Quality

### Draft Policy NE 2

#### NE2: Water Quality

Developers shall undertake thorough risk assessments of the impact of proposals on surface and groundwater systems considering appropriate avoidance measures before incorporating appropriate mitigation measures where necessary. The council will expect developers to demonstrate that all proposed development will be served by an adequate wholesome supply of water, appropriate sewerage infrastructure and that there is sufficient sewage treatment capacity to ensure that there is no deterioration of water quality.

Development will not be permitted where it would:

- prejudice the quality or quantity of surface or ground water;
- have an adverse impact on water dependent Sites of Special Scientific Interest (SSSIs) and Natura 2000 sites;
- prejudice the use and quality of the district's spa waters.

## Justification

- 10.7** The quality and quantity of surface and ground water is vitally important to a wide range of uses and users including domestic, industrial and agricultural. It is also of great importance to general amenity, as a source of drinking water, water based recreation, fisheries and nature conservation. Ground water resources in particular are susceptible to a wide range of threats from land use policies and once contaminated it is difficult, if not impossible, to rehabilitate them.
- 10.8** The council, in conjunction with the Environment Agency, will seek to resist development that threatens water quality and quantity, and will encourage initiatives that result in an improvement of water quality and the capacity of surface waters to support wildlife. [The European Water Framework Directive](#) became part of UK law in 2003 with the primary objectives of achieving good ecological status in water bodies, and providing protection for drinking water sources and protected sites (Habitats Directive Sites and Sites of Specific Scientific Interest). These requirements are reflected in the Environment Agency's River Basin Management Plans with the [Humber River Basin Management Plan](#) covering the Harrogate district.
- 10.9** Early engagement with the local planning authority, the Environment Agency and relevant water and sewerage companies can help to establish if water quality is likely to be a significant planning concern and, if it is, to clarify what assessment will be needed to support the application. Where water quality has the potential to be a significant planning concern, an applicant should be able to explain how the proposed development would affect relevant water bodies in the river basin management plan

and how they propose to mitigate the impacts. Applicants should provide sufficient information for the council to be able to identify the likely impacts on water quality. The information supplied should be proportionate to the nature and scale of the development proposed and the level of concern about water quality. Where it is likely a proposal would have a significant adverse impact on water quality, then a more detailed assessment will be required in the form of an environmental statement.

- 10.10** Polluted surface water flows from areas like car parks or service yards should always have sufficient pollution prevention measures in place to ensure the protection of groundwater and watercourses from specific pollutants like petrol (hydrocarbons) and suspended solids. Developers should follow the appropriate pollution prevention guidance. Ideally, applicants should introduce more 'surface' or 'green' drainage solutions to aid improvements in water quality, such as swales along hardstanding boundaries, or a more advanced reed bed system for larger sites. These solutions are easier to access and maintain than engineered solutions like petrol/oil interceptors, which require regular maintenance to ensure they operate correctly.
- 10.11** Due to the rural nature of the district, the council is responsible for ensuring the quality and quantity of over 600 private water supplies. Development should recognise these drinking water sources and ensure that the quality and quantity is not compromised. Where a development includes a private water supply, developers should ensure that a wholesome supply is delivered.
- 10.12** Changes to scheme design and mitigation will often avoid harm to water bodies. In the few cases where a detailed assessment indicates that development will have a significant adverse impact on water quality, the proposed development will only be acceptable in terms of the Water Framework Directive in the circumstances set out in the [River Humber Basin Management Plan](#).
- 10.13** The recorded history of the mineral springs in the town of Harrogate dates back over four hundred years. In 1571 the Tewit Well in High Harrogate was found to have medicinal qualities. This, along with other chalybeate (iron laden) springs found in the area, started to attract visitors to the town and Harrogate developed as a Spa town. Ripon also established itself, on a more modest scale, as a health resort during the early twentieth century.
- 10.14** It is important to ensure that the high quality of the Harrogate spring water is maintained as it provides employment opportunities and financial investment into the district in the form of the Harrogate Water Brands independent company, which is based in Harrogate and produces many millions of bottles of spring water each year.
- 10.15** This policy therefore seeks to ensure that the spa water, as a natural resource that is an important asset of the historic environment, is protected. Development should not prejudice the future use of the district's spa waters, its extraction and production.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

##### **Further guidance for applicants**

- River Humber Basin Management Plan.
- [The European Water Framework Directive](#)



- The Private Water Supplies Regulations 2009
- Sanitation, hot water safety and water efficiency: Approved Document G

#### **Evidence that may be required from applicants to accompany a planning application**

- Risk Assessment

### **NE3: Protecting the Natural Environment**

#### **Draft Policy NE 3**

##### **NE3: Protecting the Natural Environment**

Development should not result in any net loss of biodiversity, and should seek to provide net gains. The council will work through appropriate Local Nature Partnerships and others to assess existing and potential components of ecological networks, including Sites of Importance for Nature Conservation. Protected species and priority habitats and species are identified nationally in Biodiversity 2020 and under the [Wildlife and Countryside Act](#). The preservation, restoration and recreation of priority habitats and ecological networks and the protection and recovery of priority species populations will be promoted and their positive conservation will be sought through development management.

The restoration and re-creation of priority habitats, networks and priority species populations identified in the [Harrogate District Biodiversity Action Plan](#) will be encouraged as part of any development.

Development will only be permitted where an appraisal has demonstrated that significant harm resulting from the development can be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for.

The council will protect and enhance sites of importance for natural heritage, biodiversity and geodiversity from development as follows:

##### **International sites**

1. International sites: Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar sites

Development likely to have significant effect on a Natura 2000 site or its features of interest will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions, and there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species.

##### **National sites**

2. National sites: Sites of Special Scientific Interest (SSSIs)

Development likely to have an adverse effect on a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated:

- the objectives of the designated area and the overall integrity of the area would not be compromised; or
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

### Local sites

#### 3. Local sites: Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs) and Local Geological Sites (LGSs)

Development that affects the interest features of Local Sites will only be permitted where an appraisal has demonstrated that significant harm resulting from the development can be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for.

Planning permission will not be granted for development resulting in the loss or deterioration of irreplaceable habitats, including historic wetlands and species-rich grasslands, ancient woodland and the loss of aged or veteran trees, unless the need for and benefits of the development in that location clearly outweigh the loss.

## Justification

- 10.16** Biodiversity and geodiversity support the vital ecosystem services, such as fertile soil, clean air, and growing food, as well as contributing to a higher quality of life. Biodiversity is protected at a range of levels, from international to local, with many of these designations overlapping. Some designated areas are statutory protected and others are designated for local importance.
- 10.17** The district contains various sites and species which are protected as internationally, nationally and locally important. Statutorily protected biodiversity (generally under international or national designations) are afforded the highest level of protection. Developments outside but adjacent to statutory sites or within their catchments may have an adverse impact on them. Local designations identify important sources of environmental, social and economic benefit at the community level and contribute to functioning ecological networks.
- 10.18** In addition to conservation, it is important to enhance biodiversity and geodiversity wherever possible. This will involve restoring and increasing the total area of natural habitats and landscape features. The policy seeks to strengthen the resilience of the borough's biodiversity by linking up areas of high value habitat to create ecological 'stepping stones' and wildlife corridors.
- 10.19** Biodiversity does not just occur on greenfield, undisturbed sites – many brownfield sites can have biodiversity value, and many sites require management to retain their importance. Where possible, these areas will be enhanced and integrated into the functional network.
- 10.20** Applications for development likely to affect any of the aforementioned natural assets will be expected to include a suitable ecological survey and assessment containing sufficient information to allow a proper evaluation to be made of the impact upon the site.

- 10.21** In accordance with the biodiversity section of the council's Local Validation Criteria, planning applications will not be validated where the extent of the impact of the proposal on the natural asset cannot be properly evaluated. The council's Local Validation Criteria explains which planning applications require an ecological assessment. The council may use planning conditions and/or legal agreements to secure protection and enhancement of a natural asset and positive mitigation including, as a last resort, compensation.
- 10.22** Planning permission should be refused for development that is likely to have an adverse effect, or result in the deterioration of a natural asset, unless the need for, and the benefits of, the development clearly outweighs the loss. Where the development could not be reasonably located on an alternative site, adequate mitigation measures firstly to avoid and minimise the impact and then to restore biodiversity on-site should be put in place before planning permission is granted. If it is not possible to fully restore biodiversity on-site then it may also be necessary to provide compensation off-site, for example through biodiversity offsetting.

### International and National Sites

- 10.23** Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) form part of a network of protected wildlife sites across the European Union called [Natura 2000](#). The Local Plan does not afford specific protection for International and National sites of biodiversity or geodiversity interest, instead these sites receive existing statutory protection under the following European or National legislation:
- SPAs are protected under the EC Birds Directive (79/409/EEC);
  - SACs are protected under the EC Habitats Directive (92/43/EEC), transposed into UK law by [The Conservation of Habitats and Species Regulations](#) (2010);
  - SSSIs are protected under Section 28 of the [Wildlife and Countryside Act 1981](#);
  - Ramsar sites are wetlands of international importance however, there are currently no sites within Harrogate District although the Habitats Regulations report does consider any impacts on the Humber Estuary Ramsar site.
- 10.24** Proposals for development that are likely to have a negative impact on the integrity of a Natura 2000 site will need to demonstrate accordance with [The Conservation of Habitats and Species Regulations](#) (2010) made by carrying out a Habitats Regulations Assessment. If a likely significant effect is identified an Appropriate Assessment (AA) of the implications for the site in view of the site's conservation objectives will be required. These include proposals which are not within the boundary of a Natura 2000 site, proposals which impact on Natura 2000 sites outside of the Harrogate District and proposals which impact on the qualifying species for a Natura 2000 site when the species is outside of the site. An initial assessment of potential impacts can be made using Natural England's Impact Risk Zones. Zones have been identified around each SSSI to reflect the particular sensitivities of the features for which the SSSI has been designated and to indicate types of development proposals which could potentially have adverse impacts. These zones also cover the interest features and sensitivities of the SACs and SPAs. The Impact Risk Zones can be viewed on the government's interactive mapping website [www.magic.gov.uk](http://www.magic.gov.uk).

### Regional and Local Sites

- 10.25** Local Nature Reserves (LNRs) are a statutory designation under the [National Parks and Access to the Countryside Act 1949](#) (there are five such designations within the district). Section 21 of the Act gives principal local authorities the power to acquire, declare and manage nature reserves.

## Sites of Importance for Nature Conservation

- 10.26** Sites of Importance for Nature Conservation (SINCs) form part of a wider national network of non-statutory locally valued wildlife sites. SINCs were initially identified through the Phase 1 Habitat Survey of the district undertaken in the 1990s. Most of these sites have been resurveyed in greater detail by the North Yorkshire SINC Panel and a number of additional sites have also been identified and surveyed since the last Harrogate District Local Plan was published in 2001. The North Yorkshire SINC Panel is made up of NYCC and district council ecologists, Natural England, the Yorkshire Wildlife Trust and independent ecological surveyor. Sites are evaluated by the SINC Panel in accordance with 'Guidelines for Sites Selection' (NY SINC Panel 2002, as amended) in keeping with the DEFRA publication [Local Sites: guidance on their identification, selection and management](#) (2006). Sites which have been ratified by the SINC Panel are included on the Policies Map.
- 10.27** Additional sites could be identified throughout the plan period. New or amended SINCs will be incorporated into the Policies Map through regular updates. The council will notify the landowner of any new, amended or de-selected SINC designation when the Policies Map is updated.

## Local Geological Sites

- 10.28** 5 Local Geological Sites (LGSs), formerly known as Regionally Important Geological and Geomorphological Sites (RIGS), have been designated in Harrogate district through the North Yorkshire Geodiversity Partnership which now operates as the North Yorkshire Local Geological Sites Panel. The sites were assessed in accordance with the GeoConservation UK assessment system using scientific, geodiversity, educational and cultural criteria. It is anticipated that a number of other Local Geological Sites will be put forward in the near future.
- 10.29** LGSs are currently the most important places for geology and geomorphology outside statutorily protected land such as Sites of Specific Scientific Interest (SSSIs). They are important as an educational, historical and recreational resource. Additional sites could be identified through the plan period. New or amended LGSs will be incorporated into the Policies Map through regular updates. The council will notify the landowner where this can be ascertained, of any new, amended or de-selected LGS designation when the Policies Map is updated.

## Habitat and Species Action Plans

- 10.30** The district is committed to the protection and enhancement of biodiversity. Biodiversity Action Plans identify or describe sites of habitat and species conservation. Habitats and species are listed as priorities in Biodiversity 2020 at <https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services> and the [Harrogate District Biodiversity Action Plan](#). National priority species and habitats are listed in Section 41 of the [Natural Environment and Rural Communities Act 2006](#).
- 10.31** Regard should be had to Natural England's Standing advice for protected species, <https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>, which provides advice on deciding if there is a 'reasonable likelihood' of protected species being present as well as the protected species most often affected by development.

### Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy NE7: Trees and Woodland
- Policy NE8: Protection of agricultural land

#### **Further guidance for applicants**

- [Wildlife and Countryside Act 1981](#)
- [The Conservation of Habitats and Species Regulations](#) (2010)
- [Local Sites: guidance on their identification, selection and management](#) (2006)
- [Harrogate District Biodiversity Action Plan](#)
- Biodiversity 2020

#### **Evidence that may be required from applicants to accompany a planning application**

- Ecological survey and assessment

#### **Designations/boundaries to be shown on the policies map**

- Special Protection Areas (SPAs)
- Special Areas of Conservation (SACs)
- Sites of Special Scientific Interest (SSSIs)
- Sites of Importance for Nature Conservation (SINCs)
- Local Nature Reserves (LNRs)
- Local Geological Sites (LGSs)

## **NE4: Landscape Character**

### **Draft Policy NE 4**

#### **NE4: Landscape Character**

##### **Landscape Character**

Proposals that will protect, enhance or restore the landscape character of Harrogate district for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the district will be supported.

This will be achieved by:

- Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of the natural and man-made heritage within the landscape such as trees and woodland, hedgerows, walls, buildings, watercourses, ponds, reservoirs, lakes, ecological networks or other topographical features;
- Requiring that development proposals are informed by and are sympathetic to the distinctive landscape character areas as identified in the Harrogate District Landscape Character Assessment and that proposals respect the distribution and form of settlements and buildings in their landscape setting;
- Requiring that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape and consider the ambiance of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure;

- D. Requiring that visually sensitive skylines, hills and valley sides and visual amenity are protected and/or enhanced and;
- E. Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement.

The council will work with landowners and statutory agencies to encourage land management practises that will protect and reinforce landscape character across the district and proposals which seek to restore areas of degraded landscape or individual landscape elements will be supported.

### **National Landscape Designations and Locally Valued Landscapes**

The natural beauty and special qualities of the Nidderdale Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced and the impact of proposals on the AONB and its setting will be carefully considered.

Proposals will be supported where they:

- Do not detract from the natural beauty and special qualities of the AONB and its setting;
- Seek to facilitate the delivery of the [Nidderdale AONB Management Plan](#) objectives;
- Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area.

Development proposals or land management practises that would have an adverse impact on the natural beauty and special qualities of the AONB will be resisted unless it can be demonstrated that the benefits of the proposal clearly outweighs any adverse impact and the proposal cannot be located elsewhere in a less damaging location.

Major development proposals within the AONB that would result in a significant adverse impact on the natural beauty and special qualities of the AONB will only be allowed in exceptional circumstances.

Outside of those landscapes protected by national landscape designations, the impact of development proposals on the following Special Landscape Areas, and shown on the Policies Map, will be carefully considered:

- a. Warren Top - Knox Hill, Oak Beck Valley to the north west of Harrogate
- b. Nidd Gorge
- c. Scriven Park and Coney Garth
- d. Crimple Valley
- e. Rudding Park
- f. Pine Woods and Valley Gardens
- g. Oak Beck Valley to the west of Harrogate including Brik Crag and Cardale Wood
- h. Ure Valley, Ripon
- i. Skell and Laver Valleys, Ripon

The Special Landscape Areas are valued locally for their high quality landscape and their importance to the settings of Harrogate, Knaresborough and Ripon. The designation reinforces the importance of these landscapes and their high sensitivity to inappropriate development which would adversely impact on the quality of the area designated. Development proposals within these areas are required to meet the following criteria:

1. Avoid significant loss of key characteristics that contribute to the quality of the Special Landscape Area and the setting of Harrogate, Knaresborough and Ripon;
2. Ensure that development proposals are linked to existing settlements and are designed to enhance the appearance of the urban edge and its integration with the countryside.

## Justification

- 10.32** Harrogate district's landscape is rich and varied, encompassing the apparent wilderness of the moors in the Nidderdale Area of Outstanding Natural Beauty and intensively cultivated farmland; the natural beauty of wood and water and carefully tended gardens and parks; town and country; small-scale details and large-scale planning; and new schemes and the legacy of the past.
- 10.33** The pressures of development and changing land management practices lead to constant change to the valued landscapes of the district. Planning aims to manage this change to make a positive contribution where possible and minimise any detrimental effects on landscape character and is one of the key tools used to manage changes to landscape character.
- 10.34** All landscapes are a unique combination of features that make a place distinct from its neighbours. The landscape is constantly changing and developing due to natural processes and human needs. The capacity of the landscape to accommodate change differs from place to place, and even small changes can often have a direct and immediately apparent effect on people's surroundings.
- 10.35** The majority of the district lies within three national character areas: the Yorkshire Dales, Pennine Dale Fringe and Southern Magnesian Limestone. The [Harrogate District Landscape Character Assessment](#) (HDLCA) divides the district into local character areas and identifies landscape guidelines to protect and improve their character and distinctive features.
- 10.36** Proposals for development should have regard to the HDLCA [Landscape Design Guide](#) and Policy NE5: Green Infrastructure and associated [Green Infrastructure Supplementary Planning Document](#) (SPD) as a starting point to promote high quality design and, where possible, mitigation that respects the landscape character of the district.
- 10.37** A landscape assessment will normally be required as part of any planning application for all but the smallest applications. This should be proportionate to the scale and type of development proposal and contain the following information:
- The impact of the proposal on key natural and manmade features within the landscape;
  - The impact of the development on the wider landscape;
  - How the proposal will contribute towards enhancing the landscape character of the area including measures to complement the priorities of the Green Infrastructure SPD and the AONB Management Plan where appropriate);
  - A written justification for the development.
- 10.38** If the impact of development on the landscape is considered to be significant, a full Landscape and Visual Impact Assessment (LVIA) will be required. For example proposals for large settlement growth sites, highways projects, mineral and waste development, aerodrome masts, large scale stand-alone renewable and low cost carbon energy projects, and caravan and chalet parks will be expected to provide more extensive landscape enhancement and mitigation measures as part of the LVIA.

- 10.39** The scope of the LVIA will need to be commensurate with the size and scale development and the potential impact on the landscape. The Landscape Institutes and Institute of Environmental Management and Assessment have published guidance regarding the scope and content of LVIA's.
- 10.40** The LVIA should demonstrate how any landscape mitigation measures compliment the priorities of Green Infrastructure and AONB policies referred to above as well as other supporting evidence and avoid, remove or remedy any adverse effects.
- 10.41** Landscape mitigation measures should embrace the character and appearance of an area, contribute to creating a sense of local distinctiveness and create new features and areas of open space that reflect local landscape character

### **Further Information**

#### **Related planning policies**

- Policy NE5: Green Infrastructure
- Policy NE7: Trees and Woodland
- Policy HP3: Local Distinctiveness

#### **Further guidance for applicants**

- [Harrogate District Landscape Character Assessment](#) (February 2004)
- [Harrogate Landscape Design Guide](#)
- [Green Infrastructure Supplementary Planning Document](#) (November 2014)
- [Nidderdale AONB Management Plan](#)
- [National Character Area Profiles](#)

#### **Evidence that may be required from applicants to accompany a planning application**

- Landscape assessment

#### **Designations/boundaries to be shown on the policies map**

- Special Landscape Areas
- Area of Outstanding Natural Beauty

## **NE5: Green Infrastructure**

### **Draft Policy NE 5**

#### **NE5: Green Infrastructure**

Development proposals should:

- A. Incorporate existing and/or new green infrastructure features within their design and to improve accessibility to the surrounding area;
- B. Capitalise on opportunities to enhance and/or create green links between green infrastructure features such as those listed in the green infrastructure checklist contained in Section 10, Green Infrastructure Supplementary Planning Document (November 2014);



- C. Avoid creating undifferentiated built-up areas within its overall boundaries and to prevent built-form coalescence;
- D. Where they are within or in close proximity to a green infrastructure corridor, enhance the functionality and connectivity of the corridor;
- E. Conserve and enhance the high quality and character of the district's towns, villages and rural environment by ensuring that all forms of new development are designed to a high standard and maintain and enhance the local vernacular and 'sense of place' of individual settlements;
- F. Safeguard the character of urban areas as manifest in the system of open spaces which link town and countryside; and
- G. Identify opportunities to work with partners at the local, district and sub-regional levels to deliver multiple key green infrastructure benefits.

## Justification

**10.42** Green infrastructure refers to a multi-functional linked network of green spaces that provide opportunities for biodiversity and recreation. It includes:

- Parks and gardens
- Natural and semi-natural urban greenspaces including woodlands, scrub, grasslands, wetlands, open and running water, disused quarries and pits
- Green corridors including river banks and rights of way
- Outdoor sports facilities (with natural or artificial surfaces either publicly or privately owned) and cycleways
- Amenity greenspace (most commonly, but not exclusively, in housing areas)
- Provision for children and teenagers
- Allotments and community gardens
- Cemeteries and churchyards
- Accessible countryside in urban fringe areas
- River corridors
- Green roofs and walls
- Orchards

**10.43** Green infrastructure is essential for conserving and enhancing biodiversity and for meeting a wide range of social and environmental needs. It plays a vital role in terms of contributing to the distinctive character of the district and enhancing the quality of life for residents, workers and visitors. It also helps to promote healthy living and social inclusion by increasing opportunities for recreation, exercise and relaxation. In the district's towns, green spaces perform an important function in terms of mitigating the impacts of climate change. Green infrastructure can also provide opportunities for greater appreciation and enjoyment of the landscape and cultural heritage of the district.

**10.44** In order to maximise the multiple community and environmental benefits that can be delivered by green infrastructure, it is considered important that the existing green infrastructure network within the district is protected, enhanced and appropriately managed where possible. Opportunities need to be assessed for new or enhanced green infrastructure assets and how they can be delivered. It is also important to improve the connectivity of the existing green infrastructure network and increase its accessibility for the benefit of both residents and visitors.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (PPG)
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character
- Policy NE6: Local Green Space
- Policy NE7: Trees and Woodland
- Policy HP3: Local Distinctiveness

**Further guidance for applicants**

- Green Infrastructure Supplementary Planning Document (November 2014)

**Evidence that may be required from applicants to accompany a planning application**

**Designations/boundaries to be shown on the policies map**

**NE7: Trees and Woodland****Draft Policy NE 7****NE7: Trees and Woodland**

Development will only be permitted where:

- A. it does not have an adverse impact on trees or woodland that have wildlife, landscape, historic, amenity, productive or cultural value; and
- B. it does not have an adverse impact on a veteran tree or ancient woodland; and
- C. it does not involve the loss of trees or woodland which contribute to the character or setting of a settlement; and
- D. it includes the appropriate retention and new planting of trees and woodland.

In the case of an unavoidably adverse impact on trees and woodlands of wildlife, landscape, amenity, productive or cultural value, compensatory provision must be made.

Wherever appropriate, the planting of additional trees should be included in new developments.

**Justification**

- 10.49** Trees and woodlands provide a significant contribution to the landscape character, local distinctiveness and biodiversity of the district therefore it is important to prevent their loss. This will be done when such trees are considered to be under threat, by the confirmation of a Tree Preservation Order (TPO) or by conditions attached to a planning permission and this protection will be maintained and extended as appropriate. There are however many trees of value without existing protection and therefore careful consideration should be given to their removal. In order to prevent the loss of trees it is also important to protect them in an appropriate manner during development. Conditions will be attached to planning permissions to ensure this takes place.
- 10.50** It should be noted that the law allows for the felling of dead or dangerous trees even when protected by a TPO or planning conditions in accordance with the [Wildlife and Countryside Act](#). In the event of this the Local Planning Authority should be notified before these works take place, or the onus is on the person carrying out the works to the tree(s) to show that they are necessary to address the immediate risk.
- 10.51** If a tree is home to a protected species that species may be protected under the Wildlife and Countryside Act or Habitats Regulations and therefore to move or disturb such species may also require prior granting of a license from Natural England.
- 10.52** Some mature trees are of great antiquity and make a particular contribution to landscape character, local distinctiveness, biodiversity and they are often valued cultural features with historical associations. Veteran trees are in the latter stage of their life as well as the richest in terms of ecology, landscape and culture. Veteran trees can be found anywhere; along old hedgerows, road junctions, river corridors and in parkland.
- 10.53** The purpose of compensatory planting is to secure, through new woodland or tree planting on appropriate sites elsewhere, at least the equivalent tree/woodland-related net public benefit embodied in the trees/woodland to be removed. The council will determine the need for compensatory planting, its type and extent and the most appropriate way of securing its delivery. This will be detailed in a planning condition or a planning agreement. As ancient woodland and veteran trees are irreplaceable,

discussions on compensation should not form part of the assessment of the merits of the development proposal. Compensation measures are always a last resort and these measures can only partially compensate for damage. Compensation measures could include planting new native trees and/or woodland, restoring or managing other ancient trees/woodland, management of aged or veteran trees, replacing lost veteran trees.

- 10.54** The submission of a tree survey as part of the application may be required. Ecological surveys may also be required in line with the council's validation criteria. Regard should be had to Natural England's Standing advice for protected species which includes advice about ancient woodlands and veteran trees  
<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>.  
 Protected species surveys e.g for bats or nesting birds may be required in line with the council's Validation Criteria Biodiversity proforma.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy NE3: Protecting the natural environment
- Policy NE4: Landscape Character

#### Further guidance for applicants

- Forestry Commission website
- Natural England Standing Advice -  
<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>
- Micro guide to BS8596 - Surveying for bats in trees and woodland -  
<http://shop.bsigroup.com/forms/Bat-Microguide--BS-8596--BSI-Group/>

#### Evidence that may be required from applicants to accompany a planning application

- Tree Survey
- Validation Criteria Biodiversity Proforma
- Protected Species survey

## NE8: Protection of Agricultural Land

### Draft Policy NE 8

#### NE8: Protection of Agricultural Land

The best and most versatile agricultural land (grades 1, 2 and 3a) will be protected from development not associated with agriculture or forestry. Planning permission for development affecting such land will only be granted exceptionally if there is an overriding need for the development and either:

- A. Sufficient land of a lower grade (grades 3b, 4 and 5) is unavailable or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation and outweighs the agricultural considerations;

or

B. The benefits of the development justify the loss of high quality agricultural land.

If best and most versatile land needs to be developed and there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations outweigh land quality issues.

## Justification

- 10.55** The quality of agricultural land is graded according to its versatility and suitability for growing crops, with grades 1, 2 and 3a considered to be the 'best and most versatile' (BMV). The [National Planning Policy Framework](#) (NPPF) (paragraph 112) requires a local planning authority to take into account the economic and other benefits of BMV agricultural land and minimise its loss to development.
- 10.56** The district contains a substantial amount of agricultural land, much of which is of high quality providing an important role in food and other resource production. Harrogate district has a total area of 130,500 hectares, nearly 20% of which comprises grades 1 and 2 agricultural land. A further 32% is grade 3 but it is not possible to differentiate the amount of grade 3a land as a comprehensive survey of grade 3 land is not available.
- 10.57** Some of the highest quality land is in close proximity to settlements where the pressure for development is greatest. Policy NE8 seeks to conserve and protect the BMV land and sets out the circumstances when development of BMV will be permitted. If there is a choice between sites of different grades, the lowest grade should be used. However, there may be cases where lower grade land should be retained in preference to higher grade land, for example where the lower grade land has greater biodiversity value.

### Further Information

#### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

#### Evidence that may be required from applicants to accompany a planning application

- Justification for loss of Grade 1, 2 and 3a land.

## NE9: Unstable and Contaminated Land

### Draft Policy NE 9

#### NE9: Unstable and Contaminated Land

##### Unstable Land

Proposals for development on land suspected as being unstable will not be permitted unless it can be demonstrated either that there is no foreseeable instability, or that the effects of such instability can reasonably be overcome.

With specific regard to subsidence due to gypsum dissolution in the Ripon area, significant building development in areas which are suspected as being potentially susceptible to the problem will be subject to development control procedures, based on the development guidance categories in the appendix and as shown on the Policies Map. The accompanying advice in Appendix 2 should be taken into account in all applications for development.

### **Contaminated Land**

Proposals for the redevelopment or re-use of land known or suspected to be contaminated and development or activities that pose a significant new risk of land contamination will be considered having regard to:

- the findings of a preliminary land contamination risk assessment;
- the compatibility of the intended use with the condition of the land; and
- the environmental sensitivity of the site

Proposals that fail to demonstrate that the intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.

## **Justification**

### **General Instability**

- 10.58** Potential ground instability is an important issue which will, where appropriate, be a material consideration in the determination of applications for development.
- 10.59** In certain parts of the plan area, difficulties may be experienced in developing land due to instability of the ground and in these areas it will normally be necessary to take full account of the ground conditions prior to the determination of planning applications and/or the commencement of development. Within the plan area, the causes of such instability may include:
- the effects of subsidence associated with natural underground cavities caused by dissolution of gypsum deposits within the underlying strata;
  - the legacy of past coal mining activity, particularly in parts of Nidderdale, including mine entries and subsidence associated with shallow underground mine workings;
  - the effects of settlement associated with ground compression - due to human activities (landfill, made ground) or natural origins (peat, soft silts, shrinkable clays); and
  - the effects of slope failure on natural or man-made slopes.
- 10.60** The effects of ground instability vary considerably in their nature, scale and extent. Most commonly they are of a minor nature and occur very infrequently, only rarely causing damage to buildings. However, in the most extreme circumstances they may threaten health and safety or cause severe damage to unprotected buildings and structures. In many instances the proposed development may itself exacerbate any existing or potential instability, for example by increased loading, excavation or changes to local groundwater conditions.
- 10.61** When planning permission is applied for it is the developer and/or landowner, who is responsible for ensuring that the land is physically suitable for development or can be made so. Therefore, in appropriate cases the council may require planning applications to be supported by a Ground Stability Report describing and analysing the issues relevant to ground instability and indicating how any foreseeable problems would be overcome.

- 10.62** The nature of potential land instability is that, in most instances, it should be possible to overcome any difficulties, or at least reduce them to an acceptable level, through appropriate investigation and mitigation measures and/or through the careful design and placing of development.

### **Gypsum-related subsidence in the Ripon area**

- 10.63** The specific issue of subsidence due to gypsum dissolution in the Ripon area was investigated by consultants in a two-year research programme, commissioned by the then Department of the Environment with a contribution from the council. From the results of that study the council adopted a development control policy designed to:

- minimise the risks and effects of land instability on property, infrastructure and the public;
- ensure that various types of development should not be placed in unstable locations without appropriate precautions;
- bring unstable land, wherever possible back into productive use;
- assist in safeguarding public and private investment by a proper appreciation of site conditions and necessary precautionary measures;
- the study and objectives remain valid and the policy's requirements include the need for many planning applications in affected areas to be supported by Ground Stability Report, prepared by a suitable experienced competent person (see the appendix setting out further guidance regarding development proposals in gypsum affected areas).

- 10.64** The Ground Stability Report is required to assess whether or not any ground instability can reasonably be foreseen for the site in question, and where necessary, to provide detailed recommendations on the mitigation measures which may be needed in order to reduce the potential effects of any foreseen instability to an acceptable level. Such recommendations, if acceptable by the planning officer, would form the basis of conditional planning consent and, would need to be implemented on site.

- 10.65** Further details of the Development Management requirements, including guidance on the content of Ground Stability Reports, can be obtained from Harrogate Borough Council.

### **Contaminated Land**

- 10.66** Land may be affected by contamination if substances present in, on or under the land are actually or potentially hazardous to people or the environment. The presence of contamination does not necessarily present an unacceptable risk. Risk exists when a source (a contaminant) and a receptor (e.g. people, groundwater, wildlife) both exist at a site with a pathway linking the two. Contamination may be present in various forms, including chemical, biological or radioactive. Land affected by the presence of invasive species such as Japanese Knotweed, Giant Hogweed and Himalayan balsam can also be classed as contaminated and therefore will be covered under this policy. Current and former landfill sites are also classed as contaminated land. Development can create risk by introducing new pathways and also by introducing new receptors.

- 10.67** The role of the planning process is to ensure that land is made suitable for its proposed future use. The NPPF aims to encourage sustainable development and the reuse of brownfield land but also states that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity and the potential sensitivity of the area or proposed development to adverse affects from pollution, should be taken into account. It also requires that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

- 10.68** A [Technical Guidance for Developers, Landowners and Consultants](#) document has been produced by the Yorkshire and Humberside Pollution Advisory Council and has been adopted as guidance by 34 local authorities in Yorkshire, Lincolnshire and the North East, including Harrogate Borough Council. This document is intended to assist developers, landowners and consultants who intend to introduce a vulnerable end use (e.g. residential) to land, or wish to re-develop or significantly change the use of buildings or of land which could potentially be contaminated.
- 10.69** Applicants will also be expected to clearly set out the method of providing mitigation on site to avoid contamination of other land within the site or of accidentally spreading contamination into nearby watercourses.
- 10.70** Unlike many of the larger urban and metropolitan areas, Harrogate district does not have a history of heavy industrial activity. Therefore, there are few derelict, abandoned or current industrial sites, which are heavily contaminated. The district does however contain a number of specific local features which may have significant implications for the incidence of contaminated land including the concentration of naturally occurring springs and spas, the problem of gypsum dissolution and various former and current Ministry of Defence sites.

#### **Further Information**

##### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

##### **Further guidance for applicants**

- Appendix - Gypsum Related Subsidence in the Ripon Area
- Assessment of Subsidence Activity Arising from Gypsum Dissolution (with particular reference to Ripon) - Symonds Travers Morgan Technical Report
- The Coal Authority - [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)
- [Technical Guidance for Developers, Landowners and Consultants](#)

##### **Evidence that may be required from applicants to accompany a planning application**

- Ground Stability Report
- Land contamination risk assessment
- Statement showing the method of providing mitigation on site

##### **Designations/boundaries to be shown on the policies map**

- Gypsum areas at Ripon



## Appendices

## Gypsum Related Subsidence in the Ripon Area

## Appendix 1 Gypsum Related Subsidence in the Ripon Area

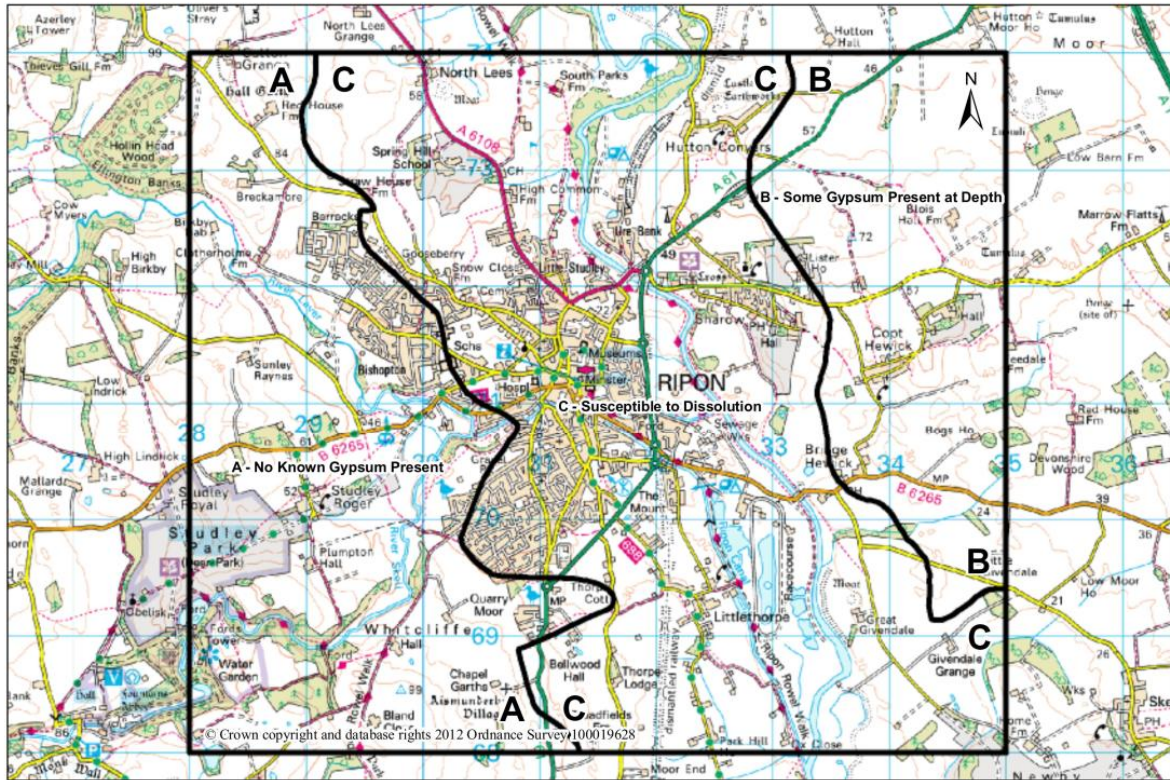
- 1.1** Gypsum occurs at relatively shallow depth in the rocks beneath the Ripon area. It is susceptible to dissolution by circulating groundwaters leading to localised development of underground cavities. These cavities can become unstable and collapse, leading to their upward migration and ultimately to subsidence of the ground surface.
- 1.2** The frequency of subsidence events in the Ripon area is low (about one event per year in the 40 square kilometre area studied). Most incidents take place in the open countryside without causing damage to buildings. Whilst the probability of subsidence occurring at any particular location is very low indeed, the results can be significant and the consequences could be serious if an occupied building were to be affected. It is therefore essential that the problem should be taken into account in planning new development in Ripon.
- 1.3** In order to establish an appropriate planning response, a detailed assessment has been made of the geology, landforms and groundwater characteristics in the Ripon area. This has led to the preparation of a Development Guidance Map. The map identifies three different zones in which gypsum is relatively absent; present at depth; and present at relatively shallow depth and potentially susceptible to dissolution. The study has identified a gravel filled buried valley beneath the River Ure as a key factor influencing groundwater flows and the patterns of dissolution and subsidence. On the basis of the map, a range of policies and procedures for forward planning, development control and building control are suggested. These provide a framework for the monitoring and control of development which should help to ensure that the potential problems arising from gypsum related subsidence are minimised. Potential problems can normally be offset by use of special foundations or other measures. In all cases, the appropriate solution can only be determined on a site specific basis, following an appropriate ground investigation carried out by a geotechnical specialist.
- 1.4** A simplified version of the Development Guidance Map forms part of this appendix. More detailed information of the areas is given on the Policies Map.

Development Control Area	Gypsum-Related Subsidence Hazard	Forward Planning Implications	Suggested Development Management Procedures
A	No gypsum present according to current geological maps.	Area suitable for development in accordance with the Local Plan. Gypsum problems impose no constraints on Local Plan development proposals.	No requirements with respect to gypsum at planning stage. Building control measures may be needed if isolated outliers of gypsum are discovered during routine site investigations or construction work.
B	Slight subsidence hazard associated with very localised, existing near-surface cavities, formed originally by the slow, localised dissolution of deep-seated gypsum deposits.	Areas that are generally suitable for development in accordance with the Local Plan. Gypsum related subsidence hazard may impose minor, localised constraints, which should be identified and taken account of in Local Plan development proposals.	A ground stability report prepared by a Competent Person <sup>(1)</sup> will normally <sup>(2)</sup> be required before planning applications for new building development in this area can be determined. In most cases it is likely that the report would need to be based only upon a geotechnical desk study and site appraisal, although site investigation to identify existing cavities may be required if problems are identified by the initial desk study.

Development Control Area	Gypsum-Related Subsidence Hazard	Forward Planning Implications	Suggested Development Management Procedures
			In recognition of the very limited degree of risk involved in this area, these requirements may often be imposed in the form of conditional planning consent.
C	Areas which may be potentially subject to localised subsidence hazard, associated with both existing cavities and with the on-going dissolution of gypsum deposits in areas affected by groundwater moving towards the Ure Valley.	Areas which are potentially subject to significant constraints on development. Local Plan development proposals should identify and take account of these constraints, making use of the detailed hazard assessment contained within Symonds Travers Morgan's Technical Report.	A ground stability report, prepared by a Competent Person will normally be required before buildings, or those related to changes of use involving increased exposure of the public to a known risk of subsidence, can be determined. In most cases the report would need to be based on a geotechnical desk study and site appraisal followed up by a programme of ground investigation designed to provide information needed for detailed foundation design, unless adequate information from previous boreholes on the same site is available. Where planning consent is given, this may be conditional upon the implementation of approved foundation or other mitigation measures, designed to minimise the impact of any further subsidence activity.

**Table 1.1 Summary of Development Guidance Categories and Suggested Procedures**

1. A 'Competent Person' in this context is a Geotechnical Specialist, as defined by the Site Investigation Steering Group of the Institution of Civil Engineers in Site Investigation in Construction 2: Planning Procurement and quality management (1993 republished 2010) This advises that ground investigation, field and testing work may be carried out by the Geotechnical Advisor, as an individual or company, or may be carried separately by a Geotechnical Contactor. Clients and construction professionals are urged to employ only those organisations and individuals who meet the nationally recognised professional and technical standards, and who have experience of the type of work to be carried out. A geotechnical specialist is a chartered engineer or a chartered geologist with a postgraduate qualification geotechnical engineering or engineering geology, equivalent at least to an MSc and with three years of post-charter practice in geotechnics; or a chartered engineer or a chartered geologist with five years of post-charter practice in geotechnics
2. Permitted development under the Town and Country Planning (General Permitted Development) Order 1995 and other minor developments, including most householder applications such as modest extensions, will not normally be subject to the development control requirements set out above. In the case of householder applications, the Council will issue an advice note, drawing the applicant's attention to the potential risk of subsidence, but it reserves the right to request ground stability reports in situations where there are particular reasons for greater concern, for example in locations which are close to sites of recent subsidence activity.



Map 1.1 Ripon Gypsum Map

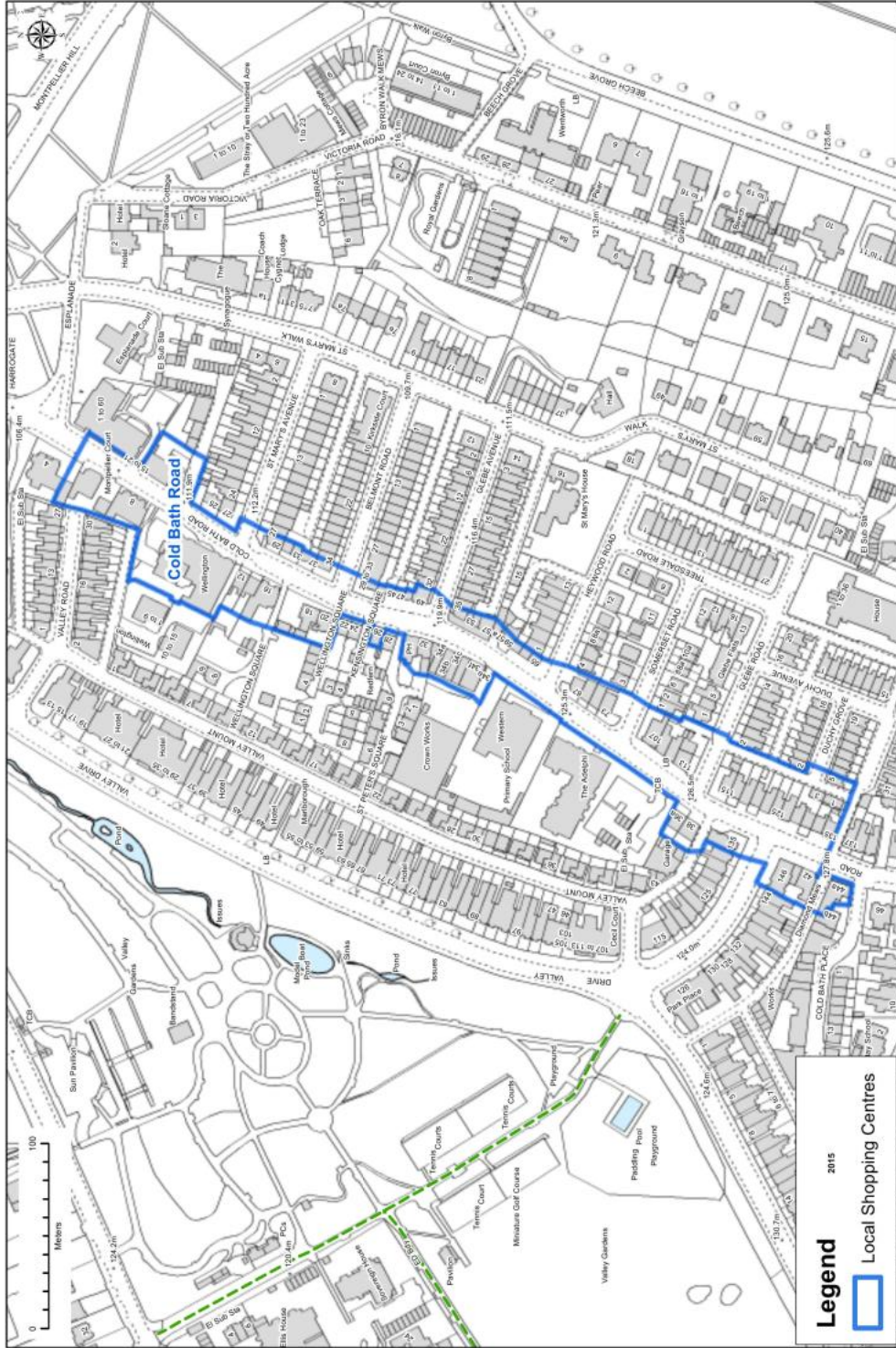
Development Control Areas	
A	No known gypsum present.
B	Some gypsum present.
C	Gypsum present and susceptible.

Table 1.2 Key: Ripon Gypsum Map

Geographical details represented on this map are based upon an interpretation of data partly obtained from existing publications of the British Geological Survey and partly from other sources as described in the Symonds Travers Morgan technical report to the DoE: 'Assessment of Subsidence Activity Arising from Gypsum Dissolution (with particular reference to Ripon). The map is intended to be used as a general guide and should not be relied upon to provide detailed information at specific sites.

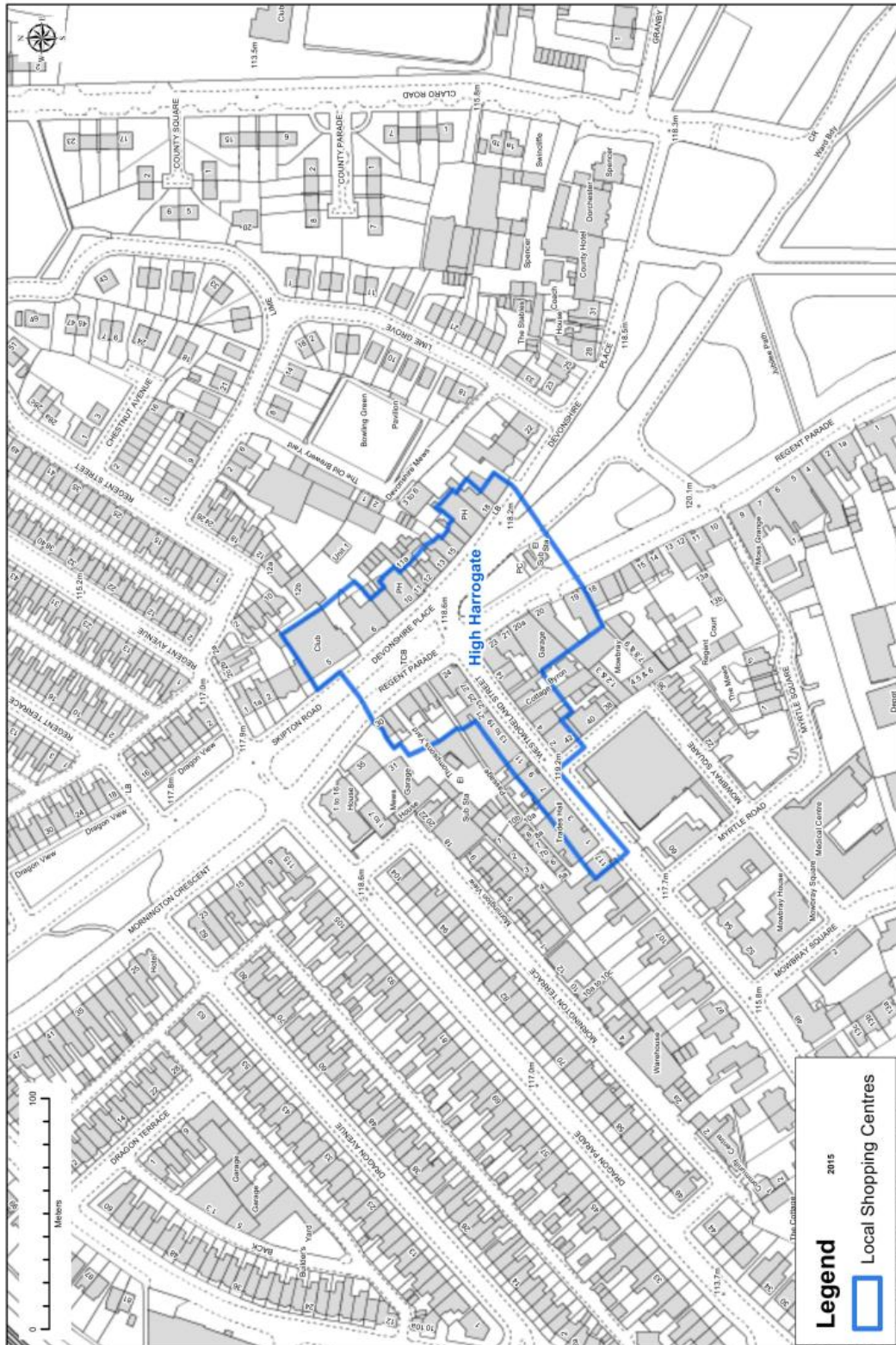
## Local Centres

Appendix 2 Local Centres



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Map 2.1 Local Centre at Cold Bath Road, Harrogate

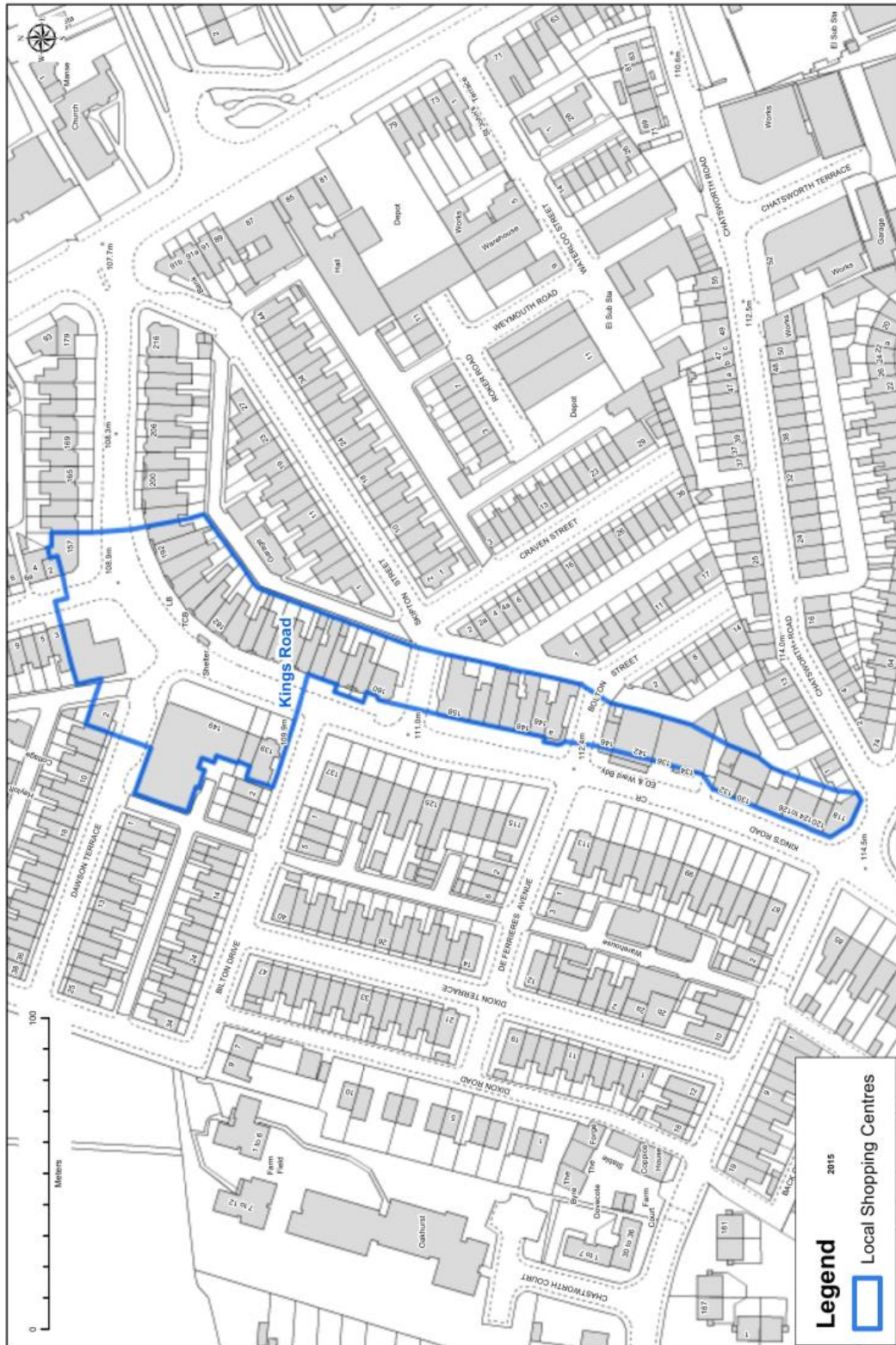


Map 2.2 Local Centre at High Harrogate



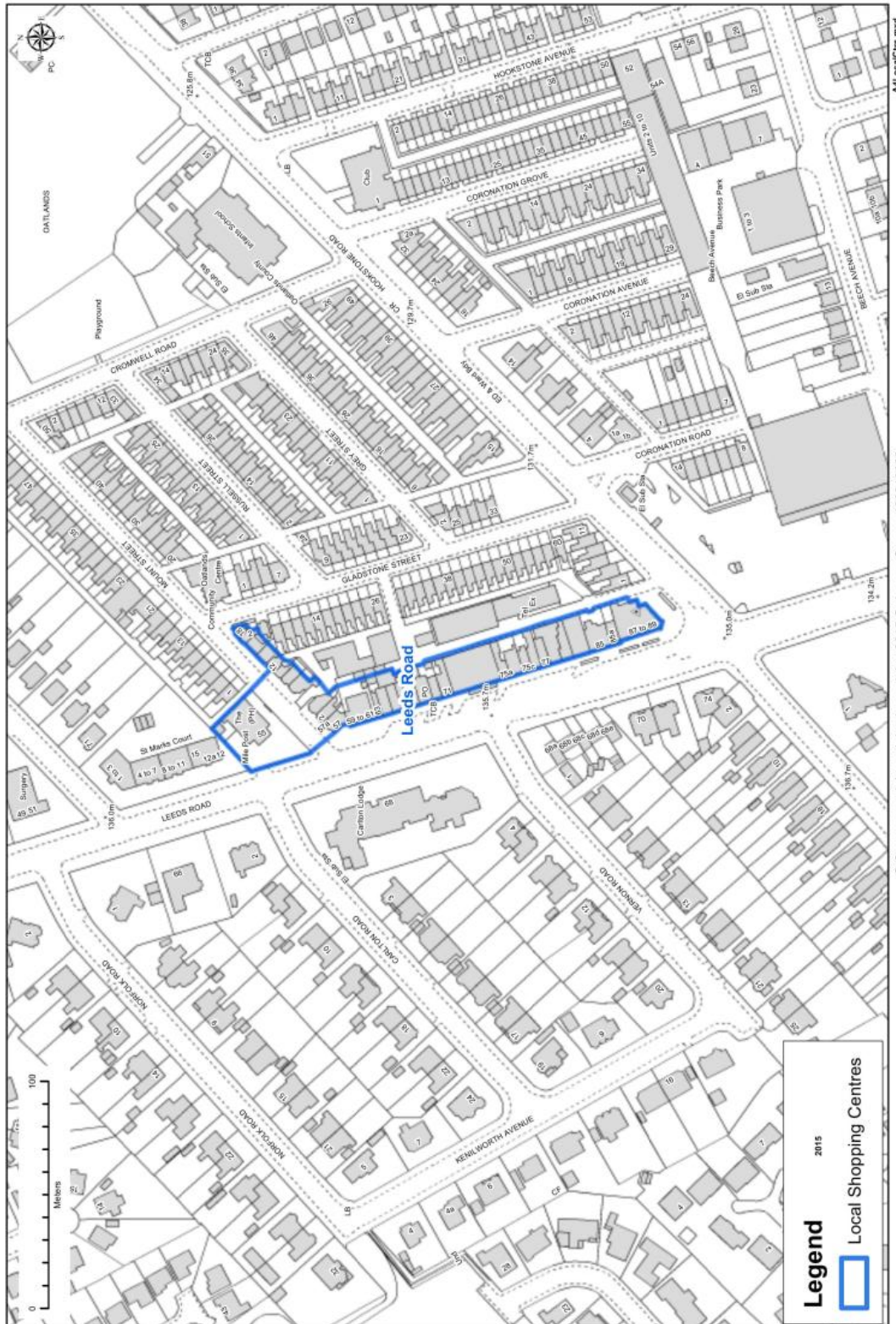


Map 2.3 Local Centre at Jennyfields, Harrogate

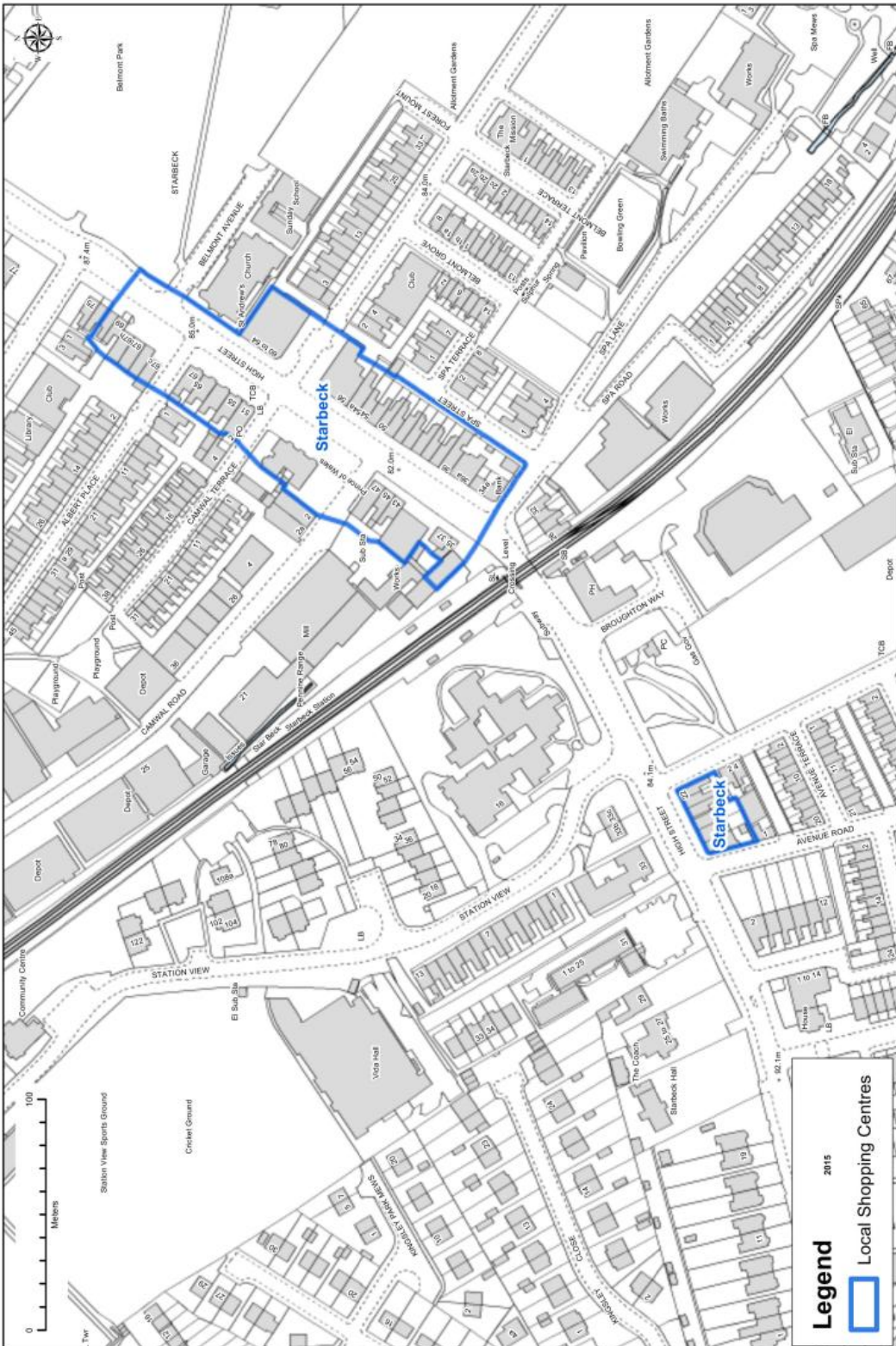




Map 2.5 Local Centre at Knaresborough Road, Harrogate



Map 2.6 Local Centre at Leeds Road, Harrogate



Map 2.7 Local Centre at Starbeck



